

**NOMINATION OF PETER V. NEFFENGER
TO BE ASSISTANT SECRETARY OF THE
U.S. DEPARTMENT OF HOMELAND SECURITY
AND ADMINISTRATOR FOR THE
TRANSPORTATION SECURITY ADMINISTRATION**

HEARING
BEFORE THE
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
ONE HUNDRED FOURTEENTH CONGRESS
FIRST SESSION

MAY 21, 2015

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

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CONTENTS

	Page
Hearing held on May 21, 2015	1
Statement of Senator Thune	1
Statement of Senator Nelson	4
Prepared statement	4
Statement of Senator Blumenthal	26
Statement of Senator Klobuchar	28
Statement of Senator Sullivan	34
 WITNESSES	
Hon. Janice Hahn, U.S. Representative from California	2
Peter Vance Neffenger, Vice Commandant, United States Coast Guard	5
Prepared statement	7
Biographical information	9
 APPENDIX	
Response to written questions submitted to Vice Admiral Peter V. Neffenger by:	
Hon. John Thune	39
Hon. Roy Blunt	42
Hon. Steve Daines	42
Hon. Richard Blumenthal	43

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THURSDAY, MAY 21, 2015

**U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
*Washington, DC.***

The Committee met, pursuant to notice, at 11:04 a.m. in room SR-253, Russell Senate Office Building, Hon. John Thune, Chairman of the Committee, presiding.

Present: Senators Thune [presiding], Sullivan, Nelson, Klobuchar, and Blumenthal.

**OPENING STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

The CHAIRMAN. This nomination hearing will come to order. I apologize to our nominee for the tardy start. We had some things going on on the floor, some business we were trying to take care of over there. We are delighted to have you with us today.

Today, we are going to consider the nomination of Vice Admiral Peter Neffenger to be the next Administrator of the Transportation Security Administration. The TSA Administrator position has been vacant since last December when John Pistole resigned.

In January, I along with Ranking Member Nelson, Senators Ayotte, Cantwell, and Fischer called on President Obama to send us a qualified, experienced, and dedicated individual to serve as TSA Administrator.

Late last month, Admiral Neffenger was nominated by the President to head this important agency, which has been without Senate confirmed leadership for too long.

While disappointed at the length of time it took the President to send us a qualified nominee, I am encouraged by Admiral Neffenger due to his qualifications and service to our country.

Admiral Neffenger currently serves as the Vice Commandant of the United States Coast Guard. He has had a long and distinguished career, serving over 33 years in a wide range of positions, each with more responsibility and importance than the last.

During an assignment in Mobile, Alabama, he helped to lead the multi-agency response to the 1993 Amtrak Sunset Limited train

derailment into a remote waterway in the Mobile River Delta which killed 47 people. This is a particularly significant experience in light of last week's tragic Amtrak derailment in Philadelphia.

Admiral Neffenger also has substantial experience serving right here in the Senate, having been a Coast Guard Fellow and Detailee for 2 years at the Senate Appropriations Committee.

As some of my colleagues from the Gulf Coast can attest, Admiral Neffenger also served as Deputy National Incident Commander for the *Deepwater Horizon* oil spill. In that role, Admiral Neffenger coordinated and led over 50,000 people from Federal, state, and local agencies, tribal representatives, non-governmental organizations, and the private sector throughout five Gulf Coast states in the clean-up and response effort.

Admiral Neffenger has proven himself as a leader, and the TSA is an agency in need of strong leadership. Former Administrator Pistole deserves credit for improving the agency's use of risk-based approaches to security and implementing programs to streamline the screening of travelers who pose little or no threat to the public.

At the same time, just last week, the Department of Homeland Security's Inspector General testified in the House, and I quote, "Unfortunately, although nearly 14 years have passed since TSA's inception, the IG's Office remains deeply concerned about its ability to execute its important mission."

That is unusually blunt testimony from a government witness and underscores the need to get a qualified and capable leader in place at TSA, especially with the evolving security threats our Nation faces.

This committee will do its part to make that happen. I look forward to a meaningful exchange with Admiral Neffenger today, as well as written questions for the record following today's hearing. Then if members are satisfied with the nominee's responses, we will likely hold a markup to consider the nomination during our first week back after the Memorial Day recess.

That will be followed by a previously agreed upon referral to the Senate Homeland Security and Governmental Affairs Committee, as has been done for the last several nominees to head the TSA.

I look forward to working with Chairman Johnson who is also a valued member of this committee, to ensure timely consideration of this nomination. In both settings, as well as in personal meetings with senators, Admiral Neffenger will have a chance to address important policy issues and how he will address the challenges facing TSA if confirmed.

With that, I want to get us going here. Our Ranking Member, Senator Nelson, I assume will be here momentarily, but in his absence, we will proceed. We have with us today Representative Janice Hahn, who is here to introduce her nominee.

Congresswoman Hahn, very nice to have you here, welcome, and please proceed.

**STATEMENT OF HON. JANICE HAHN,
U.S. REPRESENTATIVE FROM CALIFORNIA**

Ms. HAHN. Thank you very much, Chairman Thune. It is very good to be with you today. Mr. Chairman, I appreciate being invited to speak in support of the nomination of Peter Neffenger to

be the Administrator of the Transportation Security Administration.

I understand the importance of the TSA at a time when our nation continues to face potential attacks on our homeland, and therefore, the need for an Administrator who has demonstrated the highest standards of excellence and leadership in previous roles.

I wholeheartedly and enthusiastically support Vice Admiral Neffenger for this position.

As the Commander of the Coast Guard's sector, Los Angeles/Long Beach, the largest port complex in the country, Vice Admiral Neffenger simultaneously served as the captain of the port and Federal Maritime Security Coordinator, when I was on the Los Angeles City Council and represented the port at that time.

Peter and I worked closely together on port security in the years following the tragic terrorist attacks of 9/11. Before 9/11, the Federal Government did not have an agency or administration specifically responsible for securing our transportation systems.

As you know, this very committee created TSA, which now has the role of securing our transportation system while ensuring the free flow of goods and services.

Ranking Member Nelson, good to see you.

Vice Admiral Neffenger has the right experience and abilities to implement TSA's mission as demonstrated by his professional and personal qualifications.

Over the years, I have found him also to be very even keeled. I think this is crucial for the person at the helm of our Nation's transportation security. We need a person in charge who can decide with Congress where limited resources should be spent, and to balance security and commerce, while at the same time protecting America's public.

Since I have come to serve in Congress as a representative of our Nation's largest port complex and the co-founder and co-chair of the Port Caucus in the House of Representatives, Vice Admiral Neffenger has continued to brief me about security at our Nation's port, and to be a resource for me on port security.

I think the President has selected the right person to lead our Nation's Transportation Security Administration. Vice Admiral Neffenger brings the right set of experiences to TSA, his qualifications are exemplary. His knowledge, his character, and his strategic thinking are first rate.

His unique experiences, which are broader than aviation, will help TSA complete its mission of protecting the nation's transportation system, to ensure freedom of movement for people and commerce.

Our ports, I think, are still a vulnerable part of our transportation system, and I can see the Port of Los Angeles from my backyard, and that security gap sometimes keeps me awake at night. That is why I think more than ever we need someone with Vice Admiral Neffenger's background, that understands and knows our ports as well as the entire transportation system.

Knowing that such a highly qualified person is protecting our Nation's transportation system will give us all great comfort and confidence. I urge you to confirm his nomination. Thank you so much for letting me be here.

The CHAIRMAN. Thank you, Congresswoman Hahn, very much for that testimonial. I am certain that our nominee very much appreciates those great words, and we appreciate you coming over. Thank you for being here and for sharing that with us.

Senator Nelson is here, and I am going to turn to him before we turn to Vice Admiral Neffenger, and let him make his opening remarks. Senator Nelson?

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Congresswoman, thank you for your comments, and in the interest of time, since we have had the delay because of the trade vote, I will submit my statement for the record.

Let me just say that the Admiral worked very hard in a major disaster that we had, the oil spill at Deepwater Horizon in the Gulf, that has had such long lasting effects. He obviously is skilled. He is obviously experienced with his 34 years, and he takes over an agency that if we make a mistake, it could be fatal, and we need strong leadership.

If you look at some of the vulnerabilities in the airports, last December they discovered for a 6-month period people were getting on airplanes in the Atlanta Airport and transporting guns on commercial airliners to New York, over a 6-month period. It is unacceptable.

Just this past week, the Secretary talked about a drug running gang in California among baggage handlers. It is unacceptable.

Admiral, you have a real job, and we appreciate you offering yourself for your continued public service.

[The prepared statement of Senator Nelson follows:]

PREPARED STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Thank you Admiral Neffenger for joining us today to discuss your nomination to be the next Administrator of the Transportation Security Administration. And I want to thank you for your continued public service.

We've worked together in the past on the response to one of the Nation's worst environmental disasters ever, the Deepwater Horizon oil spill in the Gulf of Mexico, where you played an important leadership role as the Deputy National Incident Commander.

I expect that your 34 years of service with the Coast Guard has prepared you to lead TSA in its critical, 24/7 security mission.

As you know, TSA is tasked with protecting our transportation systems and the traveling public, while also ensuring the flow of commerce. Though TSA is most visible to the public at 450 commercial airports across the nation, the agency's security responsibilities cut across all modes of transportation; including transit, railroads, pipelines, and maritime.

As threats to our transportation systems evolve, TSA must respond to meet new challenges and anticipate future risk.

For instance, last December it was discovered that a few employees at the Atlanta Airport had developed a scheme that exploited the limited screening of employees at that airport to transport guns to New York onboard commercial airplanes.

Earlier this week, Homeland Security Secretary Johnson announced that baggage handlers in Oakland are being charged with illegally transporting drugs. It appears these individuals used the same scheme as in Atlanta.

The employees in both cases used their secure access badges to bring contraband into the sterile area of the airport, then transferred the drugs or guns to a passenger on an outbound flight, who had already passed through TSA security.

In both Atlanta and Oakland, these were criminals and not terrorists, but this is exactly what we are trying to prevent: weapons getting on airplanes.

Secretary Johnson has directed TSA to implement recommendations made by the Aviation Security Advisory Committee, including steps to improve the screening and vetting of all airport-based employees.

One of those recommendations is to reduce the number of secure area access points at airports and increase screening, as they did in Orlando and Miami years ago.

There are also ways to improve passenger screening, and I hope that we can discuss ways to strengthen the TSA PreCheck program.

Vice Admiral Neffenger, I look forward to hearing how you would approach these issues, and how your experience at the Coast Guard has prepared you to lead this 50,000 member workforce and protect our transportation networks.

Thank you.

The CHAIRMAN. Thank you, Senator Nelson. Admiral Neffenger, please proceed.

**STATEMENT OF PETER VANCE NEFFENGER, VICE
COMMANDANT, UNITED STATES COAST GUARD**

Admiral NEFFENGER. Thank you, Chairman. I have a short opening statement, and I have a written statement for the record, with your permission.

Good morning, Chairman Thune, Ranking Member Nelson, distinguished members of the Committee. I am deeply privileged to appear before you today as the President's nominee to head the Transportation Security Administration.

I am honored by the President's call to serve in this important position and by the support of Secretary Jeh Johnson, who has provided strong leadership of our Department.

I especially want to thank my friend, Representative Janice Hahn, who graciously gave up her time to introduce me today. I had the great privilege of working with her during my tenure as Commander of Coast Guard Sector Los Angeles/Long Beach.

She directly helped me as we brought together leaders from industry, labor, government, first responder agencies, and the local community to tackle the daunting challenge of securing the ports of Los Angeles and Long Beach.

This experience reinforced my belief in the critical importance of partnerships in protecting our nation's transportation systems. Thank you again, Janice. Thank you.

I would also like to thank the 50,000 men and women of the United States Coast Guard and the 30,000 members of the volunteer Coast Guard Auxiliary, with whom I have been privileged to serve for more than three decades, and from whom I have learned important lessons about leadership and about service to the nation, commitment to excellence, and duty to people, and to the dedicated men and women of TSA, I want you to know that I am deeply honored to potentially join your ranks and to serve with you and the American people in securing our Nation's transportation systems.

During my nearly 34 years of active service, I have been assigned to a broad variety of operational, staff, and leadership positions culminating in my current duties as Vice Commandant and second in command of the Coast Guard, the nation's fifth armed service, and its premiere maritime law enforcement agency.

Each assignment has brought greater and more complex responsibilities and challenges, and if confirmed, I will apply the leadership skills I have gained as well as my extensive experience in law enforcement, maritime transportation security, and management of

a large complex agency to ensure the protection of our nation's transportation systems.

Nearly 14 years after 9/11, we must recognize that the global terrorist threat has evolved. Today, this threat is more decentralized, more diffuse, and more complex. Certain terrorist groups remain intent on striking the United States and the West, and we know that some of these groups are focused on commercial aviation.

Moreover, we see a growing threat. The threats are persistent and evolving, and they are TSA's most pressing challenge.

Workforce training, retention, and accountability are a second challenge facing TSA. If confirmed, I will pay close attention to the development of the TSA work force. I will examine how to use the TSA Academy established by John Pistole to further improve performance and to instill an ever greater sense of pride in the agency and its critically important mission.

I will continue to focus on customer service. Travelers expect efficient and effective screening, and they deserve to be treated with respect.

A third challenge is ensuring that TSA continually fields the tools it needs to address the persistent and evolving terrorist threat. We must question ourselves. We must evolve our capabilities. We must adapt faster than those who wish to harm us. We must envision what comes next and direct investments appropriately.

As such, if confirmed, I will commit myself to ensuring that TSA remains a high performing, highly capable counterterrorism organization guided by a risk based strategy, that TSA employs multi-layered intelligence driven operations, that TSA recruits and retains a skilled and highly trained workforce while placing a premium on professional values and individual accountability.

That TSA pursues advanced capabilities with adaptation central to its acquisition strategy, and that TSA continues to strengthen its integration in the intelligence community, with the private sector, with its stakeholders, and among Federal, state, and local partners.

If confirmed, I will follow this strategy, engage and lead the workforce, and adapt and invest appropriately.

I believe I have a proven record of leading people and carrying out complex missions. I have an extensive background in applying risk based security principles to port operations and maritime threats, principles that translate effectively and directly to other transportation modes. I have a proven record of leading through crises.

Finally, throughout my career, I have remained aware of the need to balance desires for greater security with the protection of the liberties and rights we cherish. If confirmed, safeguarding civil liberties and privacy interests of all Americans will remain a top priority.

I look forward to partnering with this committee on a range of initiatives to enhance the safety of the traveling public, and to achieve this balance.

In closing, I again thank President Obama and Secretary Johnson for their confidence in my ability.

Mr. Chairman, Ranking Member Nelson, thank you for the opportunity to appear before you today, and I look forward to answering your questions.

[The prepared statement and biographical information of Admiral Neffenger follow:]

PREPARED STATEMENT OF VICE ADMIRAL PETER V. NEFFENGER, NOMINEE FOR ADMINISTRATOR, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY

Good morning Chairman Thune, Ranking Member Nelson, and distinguished Members of the Committee. I am deeply privileged to appear before you today as the President's nominee to head the Transportation Security Administration (TSA). I am honored by the President's call to serve our Nation in this important leadership position and by the support of Secretary Jeh Johnson, who has provided strong and inspired leadership to the Department of Homeland Security.

With your indulgence, I would like to express my sincere appreciation to my fellow members of the United States Coast Guard, with whom I served for more than three decades of my professional life and from whom I have learned many lessons on leadership. They were and are always ready—to protect the maritime economy and the environment, to defend our maritime borders, and to save those in peril. They have inspired my service and I am eternally grateful for the opportunity to have worked alongside them and to have led them as they safeguard our maritime interests in the heartland, at the ports, at sea, and around the globe. And to the men and women of TSA, I want them to know how deeply honored I am to potentially join their ranks and to serve them and the American people in securing our Nation's transportation systems.

If confirmed for the position to which I have been nominated, it would be my privilege to follow in the footsteps of my longtime mentor and one of TSA's first Administrators, Admiral James Loy, who was the Coast Guard Commandant from 1998 to 2002 and TSA Administrator from 2002 to 2003. I have been similarly privileged to serve our Nation as a senior commissioned officer in the United States Coast Guard. During my nearly 34 years of active service, I have been assigned a broad variety of operational, staff and leadership positions culminating in my current duties as Vice Commandant and second in command of the Coast Guard; the Nation's fifth armed service and premier maritime law enforcement agency. Each successive assignment has brought greater and more complex responsibilities in executing the Coast Guard's mission to secure America's waters and to protect the country against maritime threats. If confirmed, I will have the opportunity to apply this leadership experience and my law enforcement and security skills to one of the most challenging jobs in our Nation; protecting our transportation systems—especially aviation—from terrorists.

Since its creation after the attacks of 9/11/01, TSA has played an invaluable and pivotal role in securing our transportation systems from these threats. Still, more than thirteen years since, we face threats from terrorist groups around the world and from homegrown terrorists who are not affiliated with a particular network, but who, nonetheless are inspired by a message of hatred and violence. A persistent number of terrorist groups remain intent on striking the United States and the West, and we know that some of these groups are focused on commercial aviation. And, we must recognize that we have evolved to a new phase in the global terrorist threat. Today the terrorist threat is more decentralized, more diffuse, and more complex. And today's terrorists no longer build bombs in secret; they have now publicized their instruction manual and are calling for people to use it.

These persistent threats are TSA's most pressing challenge. Our enemies will continually adapt, and so must we. TSA must leverage intelligence, technology, the experience of our front-line operators and our private sector partners to ensure we employ effective, efficient and ever-evolving procedures to stop those who would harm us. We should pay particular attention to the insider threat. I'm encouraged by the thoughtful recommendations provided by the Aviation Security Advisory Committee and, if confirmed, will commit to closely reviewing and pursuing the long-term enhancements recommended.

Retention, training and accountability are a second significant challenge facing TSA. Front-line managers and screeners are critical to the success of TSA. Agency culture, morale and effectiveness are a direct result of consistent and career-long training, recognition and accountability. If confirmed, while we should further right-size our workforce consistent with the implementation of risk-based security prin-

ciples, I will pay close attention to training and workforce development, to include how to leverage the TSA Academy to improve individual performance and to instill a greater sense of pride in the agency and its mission.

A related challenge to address is customer service, which is a critical success factor. TSA interacts with millions of travelers each day—travelers who expect efficient and effective screening with minimal delay, and who deserve to be treated with respect. Through my current career, I have routinely interacted with the public and have learned that an organization must continually reinforce this message of dignity and respect in order to embed it into an agency culture.

A third organizational challenge for TSA is ensuring it is continually fielding the tools and equipment the workforce needs to address this persistent and adaptive threat today, while envisioning longer term the investments necessary to recapitalized and modernize security of our Nation's transportation system.

As such, if confirmed, I will commit myself to ensuring that TSA remains a high-performing, highly-capable counterterrorism organization that is guided by a risk-based strategy to prevent attacks and safeguard legitimate travel and commerce; that TSA employs a multi-layered, intelligence-driven operation and one that discards a one-size-fits-all approach; that TSA recruits and retains a highly-trained workforce, one that has the opportunity for career growth and development while placing a premium on professional values and individual accountability to high standards of performance and customer service; that TSA pursues advanced capabilities with innovation and adaptation central to its acquisition strategy to counter evolving threats; and that TSA will continue to invest in and strengthen its integration in the intelligence community, in the private sector, with its stakeholders, and among DHS, federal, state, and local partners. To protect aviation, mass transit, rail, highways, ports, and pipeline systems, I will follow this strategy, engage and lead the workforce, adapt and invest appropriately, and remain focused on these critical success factors.

I have a proven record of leading people and carrying out complex missions and priorities. As Vice Commandant of the Coast Guard, I serve as the Vice Service Chief, Chief Operating Officer and Component Acquisition Executive responsible to train, equip and organize over 50,000 men and women who keep our Nation's waters safe, secure and protected. I approve and certify acquisition programs of record for the Service, and oversee compliance with the Chief Financial Officer and Federal Financial Reform Act of 1990, with the Coast Guard achieving a clean audit opinion for two consecutive years. I currently serve as the senior authority for all resource requests and budget submissions for the Service. I have an extensive background in applying the strategic principles of security to port operations and maritime threats, principles that translate effectively to other transportation modes. I served as Commander of the Ninth Coast Guard District overseeing all Coast Guard operations on the Great Lakes and St. Lawrence Seaway and along the Northern Border with Canada. I also commanded Sector Los Angeles-Long Beach and served as the Federal Maritime Security Coordinator and Captain of the Port for the Nation's largest port complex in addition to leading Coast Guard operations throughout approximately 300 miles of California coast and coastal waters. In both commands, I worked closely with interagency and international partners, industry and the private sector, citizens groups and non-governmental organizations, and federal, state and local law enforcement to develop risk-based methods for screening vessels, cargo and people operating in our ports and waterways. I focused on determining highest risk commerce while facilitating legitimate activities. I also established one of the Nation's first interagency Area Maritime Security Committees which brought together leaders from industry, labor, government, first responder agencies and the local community to tackle the critical challenge of securing the vital Los Angeles and Long Beach ports and maritime approaches to the West Coast of the United States.

In addition, I have a proven record of leading through crises. I served as Deputy National Incident Commander for the BP Deepwater Horizon Oil Spill in 2010 following the tragic explosion, the loss of eleven lives, and the sinking of the Deepwater Horizon Mobile Offshore Drilling Unit which precipitated the largest and longest oil spill in U.S. history. At the national level, I helped to ensure a coordinated, unified, whole-of-government effort to respond to the massive spill. I led over 50,000 people from federal, state and local agencies; tribal representatives; non-governmental organizations; and the private sector throughout five Gulf Coast states. I regularly briefed the President, Members of Congress, Cabinet Secretaries, state Governors and regional elected officials on progress and milestones, including appearing before Congressional Committees on multiple occasions.

Finally, throughout my years of service I have remained aware of the need to balance desires for greater security with the protection of the liberties and rights we

cherish as Americans. If confirmed, safeguarding the civil liberties and privacy interests of all Americans will remain a top priority. I look forward to partnering with this Committee on a range of initiatives to enhance the safety of the traveling public and to achieve this balance.

I applaud the work the men and women of TSA perform each and every day, along with the outstanding work performed by Mel Carraway while he has served as Acting Administrator. It would be my great honor to join them and have the privilege of leading this team of committed patriots.

In closing, I again thank President Obama and Secretary Johnson for their confidence and faith in my ability to lead TSA. Mr. Chairman, Ranking Member Nelson, I thank you for the opportunity to appear before you today and I look forward to answering your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Peter Vance Neffenger.
 2. Position to which nominated: Assistant Secretary for Homeland Security, Transportation Security Administration.

3. Date of Nomination: April 28, 2015.
 4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Information not provided.

5. Date and Place of Birth: August 21, 1955; Salem, OH.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Gail Rosemary Staba

Place of Employment: Transportation Research Board, The National Academy of Sciences, Washington, DC.

Position: Senior Program Officer.

No children.

7. List all college and graduate degrees. Provide year and school attended.

1977: Baldwin-Wallace University, Bachelor of Arts, Magna Cum Laude, with distinction, in English.

1986: Central Michigan University, Master of Arts in Business Management
 1995: Harvard University, Kennedy School of Government, Master of Public Administration.

2003: U.S. Naval War College, Master of Arts in National Security & Strategic Studies, with distinction.

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Post-undergraduate employment:

1977-78: Assistant to the Director, Betterway Inc (community-based corrections), Elyria, OH.

1979-80: Student Affairs Consultant, AFS International, New York, NY.

1980-81: Director, English-in-Action (ESL program), New York, NY.

1981-Present: United States Coast Guard.

Management and Non-Managerial Positions:

2014-Present: Vice Commandant, United States Coast Guard, Washington, D.C.
 2012-2014: Deputy Commandant for Operations, United States Coast Guard, Washington, D.C.

Director of Strategic Management and Doctrine, United States Coast Guard, Washington, D.C.

2010 (May-Oct): Deputy National Incident Commander, BP Deepwater Horizon Oil Spill Response.

2008-2010: Commander, Ninth Coast Guard District, Cleveland, OH.

2006-2008: Chief, Office of Budget & Programs, USCG Headquarters, Washington, D.C.

2003–2006: Sector Commander, USCG Sector Los Angeles—Long Beach, CA.
 2002–2003: Student, U.S. Naval War College, Newport, RI.
 1999–2002: Executive Officer, USCG Marine Safety Office San Francisco Bay, CA.
 1997–1999: Fellow on detail to U.S. Senate Appropriations Committee, Subcommittee on Transportation.
 1995–1997: Program Analyst, Office of Casualty Investigations, USCG Headquarters, Washington, D.C.
 1994–1995: Student, Harvard University, Kennedy School of Government, Cambridge, MA.
 1991–1994: Chief of Marine Inspection/Chief of Port Operations, USCG Marine Safety Office, Mobile, AL.
 1989–1991: USCG Liaison Officer to the Territory of American Samoa.
 1985–1989: Marine Inspector/Marine Investigator, USCG Marine Safety Office, New Orleans, LA.
 1983–1985: Student Engineer, U.S. Coast Guard Cutter GALLATIN (WHEC 721).
 1982–1983: Training Officer, Office of Reserve, Eighth Coast Guard District, New Orleans, LA.
 1981–1982: USCG Officer Candidate School, Yorktown, VA.
 1980–1981: Director, English-in-Action (TESL program), New York, NY.
 1979–1980: Student Affairs Consultant, AFS International, New York, NY.
 1977–1978: Assistant to Director, Betterway, Inc. (community based corrections), Elyria, OH.

9. Attach a copy of your resume.

My official Coast Guard biography and resumé are attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years: None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years: None.

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

2002–2014: Member, Women's Transportation Seminar (WTS International).
 2003–2006: Member, Propeller Club of the United States, Port of Los Angeles-Long Beach.
 2003–2006: Member, Homeland Security Advisory Council, Los Angeles, CA.
 2003–2006: Member, Advisory Board, International Trade Education Programs, Los Angeles, CA.
 2005–present: Member, Pacific Council on International Policy.
 2008–2010: Member, City Club of Cleveland.
 2009–2010: Member, Cleveland Council on World Affairs.
 2013–present: Member, The Army and Navy Club, Washington, D.C.

None of these organizations restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt: No.

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period: None.

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

National Honor Society

F. E. Harris Scholarship, Baldwin-Wallace College

Dayton C. Miller Honor Society, Baldwin-Wallace College

USCG Foundation, Admiral James S. Gracey Award for Professionalism

U.S. Department of Justice Certificate of Appreciation for assistance in prosecuting environmental crimes

U.S. Naval War College James F. Forrestal Award for Excellence in Strategy & Force Planning

Military Awards:

Department of Homeland Security Distinguished Service Medal

USCG Distinguished Service Medal

Legion of Merit (4 awards)

Meritorious Service Medal (3 awards)

USCG Commendation Medal with Operational Distinguishing Device (3 awards)

Transportation 9-11 Medal

Presidential Unit Citation

USCG Achievement Medal (2 awards)

USCG Commandant Letter of Commendation with Operational Distinguishing Device

Department of Transportation Outstanding Unit Award

Coast Guard Unit Commendation with Operational Distinguishing Device (3 awards)

Coast Guard Meritorious Unit Commendation (4 awards)

Coast Guard Meritorious Team Commendation with Operational Distinguishing Device (5 awards)

Coast Guard Bicentennial Unit Commendation

National Defense Service Medal (2 awards)

GAVOT Service Medal

Humanitarian Service Medal (2 awards)

Coast Guard Special Operations Service Ribbon (2 awards)

Coast Guard Sea Service Ribbon

Coast Guard Overseas Service Ribbon

Rifle Marksmanship Ribbon

Pistol Sharpshooter Ribbon

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

“Safeguarding Our Hemisphere,” U.S. Naval Institute Proceedings, October 2013.

“Merging the Missions: Ensuring Maritime Homeland Security and Defense Through Effective Command and Control.” Paper submitted to the U.S. Naval War College in partial fulfillment of the requirements for the Degree of Master of Arts in National Security and Strategic Studies, June 2003.

As Sector Commander, Captain of the Port and Federal Maritime Security Coordinator, USCG Sector Los Angeles—Long Beach from 2003–2006, delivered various speeches to civic and business organizations, industry and veterans groups, government agencies, academic institutions, symposia and conferences on general Coast Guard themes, missions and responsibilities.

As Ninth District Commander from 2008–2010, delivered various speeches to civic and business organizations, industry and veterans groups, government agencies, academic institutions, symposia and conferences on general Coast Guard themes, missions and responsibilities.

As Deputy National Incident Commander, BP Deepwater Horizon Oil Spill, delivered various speeches to civic and business organizations, academic institutions, government agencies and conferences on leadership during large-scale crises.

As Deputy Commandant for Operations and as Vice Commandant, delivered various speeches to government, civic and business entities, academic institutions and conferences.

(Please also see attached spreadsheet for a list of specific speeches)

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

Appearances at Congressional Hearings:

17 May 2010: *Assessing the Nation's Response to the Deepwater Horizon Oil Spill*, Senate Homeland Security & Governmental Affairs Committee

18 May 2010: *Economic and Environmental Impacts of the Recent Oil Spill in the Gulf of Mexico*, Senate Environment & Public Works Committee

19 May 2010: *The Deepwater Horizon Oil Spill*, House Transportation and Infrastructure Committee

26 May 2010: *Deepwater Horizon: BP Oil Spill in the Gulf of Mexico*, House Natural Resources Committee

12 Jul 2010: *Deepwater Horizon Oil Spill Chain of Command: An Examination of Information Sharing Practices During a Spill of National Significance*, House Homeland Security Committee, Subcommittee on Management, Investigations & Oversight (Field Hearing in New Orleans, LA)

22 Sep 2010: *DHS Planning & Response: Preliminary Lessons from Deepwater Horizon*, House homeland Security Committee

10 Jul 2012: *A Review of Federal Maritime Domain Awareness Programs*, Coast Guard & Maritime Transportation Subcommittee of the House Committee on Transportation & Infrastructure

26 Feb 2013: *Coast Guard Mission Balance*, Coast Guard & Maritime Transportation Subcommittee of the House Committee on Transportation & Infrastructure

23 Jul 2014: *Implementing U.S. Policy in the Arctic*, Coast Guard & Maritime Transportation Subcommittee of the House Committee on Transportation & Infrastructure

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I have been privileged to serve our Nation for over 33 years as a commissioned officer in the United States Coast Guard. During these years I have been assigned to a broad variety of operational, staff and leadership positions culminating in my current duties as Vice Commandant and second in command of the Coast Guard, the Nation's fifth armed service and premier maritime law enforcement agency. Each successive assignment has brought greater and more complex responsibilities.

As Vice Commandant, I serve as the Vice Service Chief, Chief Operating Officer and Component Acquisition Executive responsible to train, equip and organize over 50,000 men and women who keep our Nation's waters safe, secure and protected. I approve and certify all acquisition programs of record for the Service. I oversee compliance with the Chief Financial Officer and Federal Financial Reform Act of 1990 (the Coast Guard is the first Armed Service to achieve a clean audit opinion—an achievement we have maintained for two consecutive years). I serve as the senior authority for all resource requests and budget submissions for the Service.

I have served as a senior DHS field commander. I commanded the Ninth Coast Guard District encompassing all operations on the Great Lakes and St Lawrence Seaway and the Northern Border with Canada. I commanded Sector Los Angeles-Long Beach and served as the Federal Maritime Security Coordinator and Captain of the Port for the. Nation's largest port complex in addition to approximately 300 miles of California coast and coastal waters. In both commands, I worked closely with interagency and international partners, with industry and private sector, with citizens groups and with non-governmental organizations to develop risk-based methods for screening vessels, cargo and people operating in our ports and waterways. I focused on determining highest risk commerce while facilitating legitimate activities.

I also established one of the Nation's first interagency Area Maritime Security Committees which brought together leaders from industry, labor, government, first responder agencies and the local community to tackle the critical challenge of secur-

ing the vital Los Angeles and Long Beach ports and maritime approaches to the West Coast of the United States.

I have earned three Masters Degrees: in Business Management, Public Administration, and National Security and Strategic Studies. I served as Detailer for two years to the Senate Appropriations Committee, Subcommittee on Transportation. I have extensive experience in budget formulation and program review, having served as the Coast Guard Budget Officer from 2006–2008. In this role I helped to establish the framework for new accounting controls and management policies to ensure they were sound, well-understood and practiced uniformly throughout the Coast Guard.

I served as Deputy National Incident Commander for the BP Deepwater Horizon Oil Spill in 2010 following the tragic explosion and sinking of the Deepwater Horizon Mobile Offshore Drilling Unit, which precipitated the largest and longest oil spill in U.S. At the national level, I helped to ensure a coordinated, unified, whole-of-government effort to respond to the massive spill. I led over 50,000 people from federal, state and local agencies, tribal representatives, non-governmental organizations, and the private sector throughout five Gulf Coast states. I regularly briefed the President, Members of Congress, Cabinet Secretaries, state Governors and regional elected officials on progress and milestones.

I have traveled and served extensively, domestically and internationally, throughout my Coast Guard career in representation of my Service and the Nation, most recently as Head of the U.S. delegation to the Arctic Council symposium in Russia and as Head of the U.S. delegation to the International Maritime Organization.

If confirmed for the TSA Administrator position to which I have been nominated, I will have the privilege and opportunity to apply my law enforcement and security experience and skills to one of the most challenging jobs in our nation: protecting our transportation systems—especially aviation—from terrorists.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

The Administrator is solely responsible for the financial performance and accountability of the agency. As Administrator I would be responsible for sound stewardship of precious public resources. The American public puts great trust in its public servants and we must never violate that trust. Given this, the Administrator must also ensure transparency through independent review of financial records and organizational performance milestones. The Administrator must also ensure that financial and managerial teams have the required training and skills to meet these mandates.

I have been privileged to serve our Nation for over 33 years in the United States Coast Guard. During these years I have been assigned to a broad variety of operational, staff and leadership positions culminating in my current duties as Vice Commandant and second in command of the Coast Guard, the Nation's fifth armed service and premier maritime law enforcement agency. I train, equip and organize over 50,000 men and women who keep our Nation's waters safe, secure and protected. I approve and certify all acquisition programs of record for the Service. I oversee compliance with the Chief Financial Officer and Federal Financial Reform Act of 1990 (the Coast Guard is the first Armed Service to achieve a clean audit opinion—an achievement we have maintained for two consecutive years). I serve as the senior authority for all resource requests and budget submissions for the Service.

The knowledge and experience I have gained over my years of service have helped me to understand the motivations and the needs of a dynamic and distributed workforce, the workings of our government, and the importance of sound and prudent fiscal management as we strive to provide the highest quality and most efficient service to the American public.

20. What do you believe to be the top three challenges facing the department/agency, and why?

Threat: Threats to our transportation systems are real and persistent, and our transportation systems will remain targets of our enemies. We can never assume we have found “the security answer.” Our enemies will continually adapt, so we must continually adapt. We must leverage intelligence, technology and the experience of our front-line operators and private sector partners to ensure we employ effective, efficient and ever-adapting procedures to stop those who would harm us.

Customer Service: TSA interacts with millions of travelers each day—travelers who expect efficient and effective screening with minimal delay, and who expect to be treated with respect. In my current career I have routinely interacted with the public and have learned that an organization must continually reinforce this message of dignity and respect in order to make it part of an agency culture.

Retention, Training and Accountability; Front-line managers and screeners are critical to the success of TSA. Agency culture, morale and effectiveness are a direct result of consistent and career-long training, recognition and accountability.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

Please see my nominee PFDR.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain: No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I entered into with DHS's Designated Agency Ethics Official and that has been provided to this Committee.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I consulted with the U.S. Office of Government Ethics and the U.S. Department of Homeland Security's (DHS) Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I entered into with DHS's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Describe any activity during the past ten years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: None.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

See response to question 4 above.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:

a. Provide the name of agency, association, committee, or group;

b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;

c. Describe the citation, disciplinary action, complaint, or personnel action;

d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain: No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Divorce granted February, 11, 1999, by the District Court of Montgomery County, Texas, 9th Judicial District.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain: No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain: No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

No additional information.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees? Yes.
2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.
3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.
4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

ATTACHMENT

Relevant Speeches 2005 to Present

Title/Topic	Date	Place/Audience	# of Attendees
U.S. Coast Guard update to American Waterways Operators Annual Meeting	10/6/05	American Waterways Operators, Chicago, IL	50
U.S. and Canada maritime safety and security cooperation	4/4/09	Canada-U.S. Law Institute Conference, Great Lakes Science Center, Cleveland, OH	50
Maritime commerce on the Great Lakes	10/1/09	John Carroll University, Cleveland, OH	120
Maritime Security	1/12/11	MIT Lincoln Labs, MA	100
Maritime Risk	11/7/11	Maritime Risk Symposium, DHS Center of Excellence, Rutgers University, NJ	200
Effective Emergency Management	8/6/12	Los Angeles City and County Emergency Management Conference, Los Angeles, CA	150
Diversity and Leadership	8/7/12	Association of Naval Services Officers Annual Conference, San Diego, CA	200
U.S. Coast Guard Update	8/27/12	Harbor Safety Committee/Area Maritime Security Committee Annual Conference, Pittsburgh, PA	250
Coast Guard Operations	10/19/12	European Commission Arctic and Fisheries meeting, Brussels, Belgium	25
International AMVER Awards for rescue at sea: Recognizing those that participate	10/23/12	International Propeller Club, Athens, Greece	650
Arctic Region: Overview, Strategy, and Initiatives	3/8/13	RAND Corporation, Arlington, VA	50
U.S. Coast Guard Role in the Arctic	4/11/13	Arctic Council Meeting, Salekhard, Russia	40
Coast Guard role in Ocean Stewardship,	5/14/13	Blue Vision Summit, Carnegie Institution for Science, Washington, DC	100
U.S. Coast Guard Arctic Strategy	9/27/13	Panel Discussion, Center for Strategic and International Studies, Washington, DC	50
Arctic Challenges	10/3/13	Propeller Club of the United States, Washington, DC	50
Coast Guard Arctic Strategy	10/28/13	Washington Homeland Security Roundtable, Washington, DC	50
U.S. Coast Guard Strategic Priorities	6/18/14	Nor-Shipping biennial conference, Oslo, Norway	150
U.S. Coast Guard safety and security update	6/26/14	American Petroleum Institute Meeting, Austin, TX	300

Relevant Speeches 2005 to Present—Continued

Title/Topic	Date	Place/Audience	# of Attendees
Diversity and Leadership	7/9/14	National Naval Officers Association, Quantico, VA	100
Diversity and Leadership	7/25/14	USCG Women's Leadership Initiative, Arlington, VA	150
Keynote remarks, USCGC JOSHUA JAMES commissioning ceremony	8/19/14	Huntington Ingalls Shipyard, Pascagoula, MS	500
Arctic Challenges and Adaptation	9/18/14	U.S. Navy International Sea Power Symposium, Newport, RI	500
RADM Richard Bennis Award Presentation	10/8/14	NY/NJ Port Authority, New York, NY	50
Remarks to the Corps of Cadets on Leadership	10/10/14	Mary Baldwin College, Staunton, VA	150
Security Challenges to the Maritime Transportation System	10/16/14	Propeller Club of the United States, Los Angeles/Long Beach, Los Angeles, CA	60
Arctic Futures	10/19/14	Panel Discussion, Pacific Council on International Policy, Santa Monica, CA	35
Coast Guard Regulation of the Cruise Line Industry	11/13/14	Cruise Line Industry Association meeting, Miami FL	150
Importance of a Name (Why we name our ships after heroes)	11/14/14	Bollinger Shipyards USCG Fast Response Cutter Heroes Dinner, New Orleans, LA	60

RESUMÉ OF VICE ADMIRAL PETER V. NEFFINGER

VICE COMMANDANT U.S. COAST GUARD

Vice Admiral Peter Neffenger assumed the duties as the 29th Vice Commandant in May 2014.

Prior to this Vice Admiral Neffenger served as the U.S. Coast Guard's Deputy Commandant for Operations, where he directed strategy, policy, resources and doctrine for the employment of Coast Guard forces globally. He is a recognized expert in crisis management, port security, maritime law enforcement and oversight of the commercial maritime industry. Formally qualified as a Type I Incident Commander, he most notably served as the Deputy National Incident Commander for the 2010 BP Deepwater Horizon Oil Spill crisis, the largest and most complex oil spill in U.S. history. Other Flag assignments include Director of Coast Guard Strategic Management and Doctrine, and Commander of the Ninth Coast Guard District in charge of Coast Guard operations along the Northern Border and throughout the Great Lakes.

Vice Admiral Neffenger also served as Commander of Coast Guard Sector Los Angeles/Long Beach, where he was Captain of the Port, Federal Maritime Security Coordinator, Federal On-Scene Coordinator and Officer-in-Charge of Marine Inspection for the Nation's largest and most economically significant port complex. Additionally, he was the Budget Officer of the Coast Guard, the Coast Guard Liaison Officer to the Territory of American Samoa, and a student engineer on U.S. Coast Guard Cutter GALLATIN among other operational and staff assignments.

Commissioned in 1982 through Coast Guard Officer Candidate School, Vice Admiral Neffenger holds an MPA from Harvard University, an MA in National Security and Strategic Studies from the U.S. Naval War College, and an MA in Business Management from Central Michigan University. He earned his BA from Baldwin Wallace University. Vice Admiral Neffenger is a member of the Pacific Council on International Policy and a former fellow on the Senate Appropriations Committee.

LETTERS OF SUPPORT

May 14, 2015

Hon. JOHN THUNE,
 Chairman,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Hon. BILL NELSON,
 Ranking Member,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration. At the outset, I admit to a certain bias. The Coast Guard breeds leaders who bring both a strategic and operational perspective to their varied tasks and Vice Admiral Peter Neffenger is certainly among the best.

Of particular note is the Admiral's service as Budget Officer of the Coast Guard. Having overseen a multitasked organization that, in my opinion, never received the level of funding it deserved, I am confident he will extract great value and effectiveness from the dollars the U.S. Congress appropriates to TSA.

His experience is broad. His reputation is superb. His commitment to public service is profound and unquestionable. I respectfully and highly recommend this exceptional leader for TSA Administrator.

Sincerely,

TOM RIDGE,
First Secretary,
 U.S. Department of Homeland Security,
 Former Governor of Pennsylvania.

THE CHERTOFF GROUP
 Washington, DC, May 11, 2015

Hon. JOHN THUNE,
 Chairman,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Hon. BILL NELSON,
 Ranking Member,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration.

Admiral Neffenger has broad operational and command experience with the Coast Guard. He has held command positions at the Great Lakes and the Port of Los Angeles, and was deputy national Incident commander for the 2010 Deepwater Horizon oil spill in the Gulf of Mexico. In the former capacities, the Admiral has dealt with the kind of multi-stakeholder transportation security issues which lie at the core of the TSA's mission. Particularly in a complex environment such as the busy Port of Los Angeles, the Captain of the Port must coordinate among multiple private service providers while also addressing intergovernmental and international issues. These are exactly the types of experiences that prepare Admiral Neffenger for the challenges of administering the TSA.

Equally important is the nominee's crisis management experience, recently honed in the crucible of the BP oil spill. From time to time, the TSA Administrator must manage security crises, making swift operational decisions, reconciling the interests of stakeholders, and inspiring confidence in the public. Admiral Neffenger's pivotal role as incident commander in the Gulf provides unmatched preparation for managing emergencies that may arise in the future.

Finally, I believe that it is beneficial to have an Administrator who has grown up with DHS since its formation. The network of relationships that the Admiral will have developed over the past dozen years will be of value in enabling him to draw

on Department-wide resources and in positioning him to integrate with and contribute to the leadership of the entire Department.

I highly recommend Vice Admiral Peter Neffenger for TSA Administrator. Please contact me if you have any questions or comments.

Sincerely,

MICHAEL CHERTOFF.

UNIVERSITY OF CALIFORNIA
Oakland, Ca, May 12, 2015

Hon. JOHN THUNE,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Dear Chairman Thune and Senator Nelson:

I am pleased to write in support of Vice Admiral Peter Neffenger's confirmation as Administrator of the Transportation Security Administration.

During my tenure as the Secretary of Homeland Security, I worked closely with Admiral Neffenger on issues ranging from our Nation's port security operations, and our maritime emergency response capabilities, to oversight of the U.S. Coast Guard's annual budget and recapitalization efforts. It was in working together that I came to see and admire Admiral Neffenger's leadership skills in action. He has an uncommon way of solving complex problems and a management style that brings people together. Nowhere was this more evident than when he ably served as the Deputy National Incident Commander for the 2010 BP Deepwater Horizon Oil Spill. In that role, he provided critically important and strong leadership in coordinating the government's role addressing the largest and most complex oil spill in our Nation's history. In my view, his efforts were indispensable in the prompt and successful resolution of that crisis.

I have every confidence that Admiral Neffenger will use his considerable knowledge and government experience in overseeing the Transportation Security Administration to great effect. His significant experience in our country's counter-terrorism efforts and his judgement, energy, and leadership skills will ensure that the TSA continues to be extremely effective in its mission to protect our Nation's transportation safety and infrastructure.

I highly recommend Vice Admiral Neffenger as the next TSA Administrator, and I urge his prompt confirmation. Please do not hesitate to be in touch with me if you have any questions or concerns.

Yours very truly,

JANET NAPOLITANO,
President.

cc: Senior Vice President Peacock
Associate Vice President Falle

Arlington, VA, May 10, 2015

Hon. JOHN THUNE,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write to endorse the nomination and urge the rapid confirmation of Admiral Peter V. Neffenger to lead the Transportation Security Administration (TSA). I have known Pete since 2009 when I assumed duties as Deputy Secretary of the Department of Homeland Security (DHS). I also know TSA extremely well and can say without hesitation that he is the right man for this job.

Pete Neffenger is not only superbly qualified to lead TSA, he also serves as exemplar for precisely the kind of individuals we seek out for positions of great responsibility in public service. I know Pete well, having collaborated with him on nearly every dimension of Homeland Security operations—from preventing terrorist attacks in the United States, to responding to the Deep Water Horizon Oil Spill, to the daily operations of the Coast Guard. He is extremely smart, articulate, and direct—he always speaks honestly, even when his views diverge from others.

Moreover, he has that rare ability to think strategically while operating effectively. When writing the first ever white paper for the Coast Guard, Pete oversaw an effort that at once did honor to the proud tradition of this Service that has been in continuous operations since 1990, while at the same time cast its ongoing value to the Country in clear, operational, and compelling terms. He has an encyclopedic knowledge of the transportation infrastructure and challenges facing the Nation and he is highly respected by many, many professional colleagues across government and the private sector who seek out his counsel and deeply value their engagement with him. I count myself among their number.

Admiral Neffenger is a man of character, intelligence, and compassion, and the qualities that make him such an effective leader combine with his considerable experience to make him pragmatic as well as inspirational. The American people can have confidence that he will put their security first. In him, the TSA workforce will find a leader who will care for them, inspire them, and motivate them to perform their best every day for the American public.

I urge you to confirm him without delay.

Thank you for the privilege to register my support for Admiral Neffenger's nomination and continuation to lead TSA. If I can be of further service, please do not hesitate to call on me.

Sincerely,

JANE HOLL LUTE,
Former Deputy Secretary,
Homeland Security.

COHEN GROUP
Washington, DC, May 12, 2015

Hon. JOHN THUNE,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration.

VADM Neffenger would complete a distinguished 33 year career with the U.S. Coast Guard if he is confirmed for this position. He has consistently demonstrated the leadership capacity necessary to lead TSA. The position requires a balance of

focused purpose and customer service. VADM Neffenger's Coast Guard career has been dominated by assignments where he excelled because he recognized the value of reaching to others for input that would make an outcome a better one. He is an established leader in transportation security and has led Coast Guard participation with state, local, private sector, international and other Federal agencies to provide enlightened policy on one hand and effective operational execution and command on the other. His service as the Deputy National Incident Commander for the Deep-water Horizon Oil Spill is a perfect example of his skills as a collaborative leader. As the Administrator of TSA in 2002-2003, I can attest to the requirement for consistency of mission purpose and an ability to work productively with the multiple stakeholders who make up the commercial aviation industry. VADM Neffenger has those skills. He is a brilliant and focused leader. He is also clearly aware of the value of strategic planning and intelligence driven and risk-based decisionmaking. He is very simply perfectly equipped for this very demanding position.

I highly recommend Vice Admiral Peter Neffenger for TSA Administrator. Please contact me if you have any questions or comments.

Sincerely,

JAMES M. LOY, ADM (RET.)
Senior Counselor.

HARVARD—KENNEDY SCHOOL
Cambridge, MA, May 11, 2015

Hon. JOHN THUNE,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration. I know of no one more qualified, versatile, and generous to lead an agency in transition.

As former Assistant Secretary of Homeland Security for Intergovernmental Affairs, I got to know and work with Vice Admiral Neffenger during the course of the BP Oil Spill response. We have remained friends. During the spill, Vice Admiral Neffenger was appointed Deputy National Incident Commander (NIC) while I was chosen to be the Director of intergovernmental and interagency coordination. Both were positions within the NIC and both reported to Admiral Thad Allen who led the response. We worked closely throughout.

To say it was an intense experience is an understatement. I have come to believe, with the benefit of hindsight, that there were two oil spills: the oil spill response and the oil spill event. I want to talk about the latter because the oil spill was more than just closing the well or picking up the oil; it required skills of its leadership that cut across simple operational needs. An entire government apparatus was engaged on the Federal level. We also worked with five governors offices, numerous local officials, and a Federal apparatus that included over 60 agencies and departments. Fishermen and off-shore oil workers feared for the future. The media offered non-stop assessments. An entire way of life was threatened for families and the Gulf region. The spill response required skills of leadership, but also nimbleness. No amount of training or incident command could prepare anyone in the Coast Guard for what was happening.

Vice Admiral Neffenger was tasked to manage this historic event. More often than not, we worked together and I saw firsthand his capacity to talk honestly, make changes, fix errors and sometimes even just "go with the flow" if that was required. He could just as equally brief the President on what to anticipate with the oil spill as talk to a grocery store owner about how to fill out a claim form. Every morning, for over 100 days, we both hosted a Governor's call with the five governors offices so that we could inform them of the status of response. Those were not easy calls, often, and Vice Admiral Neffenger was calm, explaining the response in "civilian" terms, not hiding behind acronyms or a military lingo. He also listened well, wanting to hear what could be fixed or changed to make the response faster or simply answer a question.

A perfect example is his leadership with the local liaisons program. At some stage during the spill, the NIC command recognized that local leaders throughout the Gulf were not getting essential information from the state. This was as much a consequence of how the Oil Pollution Act, the legal framework for spill response, focuses on statehouses as it was history and politics. Allen, Vice Admiral Neffenger and I proposed placing Coast Guard officials in each local government office so that, for example, each parish president would have their own “go to” Coast Guard liaison. It is not something that was ever done before, nor something the Coast Guard had planned for. But Vice Admiral Neffenger explained to his team why it should be done, and we drove for two days across the coast placing his people in each local political office (parish presidents, mayors, county commissioners, etc.). It was a necessary fix, and one that worked as we were more able to hear from local leadership and respond in real time to their questions and concerns. It was Vice Admiral Neffenger’s capacity to think outside the box, deploy resources where they were needed to help the spill response, and convince his team it was worth this unusual effort that stand out as historic in nature.

And while Vice Admiral Neffenger had to spend a lot of time in stakeholder engagement and White House briefings, he was also accessible, always, to his own team. The Coast Guard was under tremendous stress, and the emotional impact was withering. Vice Admiral Neffenger always took the time to talk to his own people, to give them emotional support (and sometimes even a kick in the back if necessary), but to always let them know he had their back. That is essential at the Department.

Vice Admiral Neffenger knows that true leadership in homeland security is one that engages the entire enterprise—communities and customers, the White House and a parish president, Congress and a state representative, and also the brave men and women who work for an agency that is committed to the public’s safety and security. Vice Admiral Peter Neffenger is someone who understands and reflects those basic needs.

Without question, I highly recommend Vice Admiral Peter Neffenger for TSA Administrator. Please contact me if you have any questions or comments.

Sincerely,

JULIETTE KAYYEM,
Lecturer in Public Policy.

CITY OF NEW YORK—THE POLICE COMMISSIONER
New York, NY, May 11, 2015

Hon. JOHN THUNE,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
U.S. Senate Committee on Commerce, Science, and Transportation,
Washington, DC.

Dear Chairman Thune and Senator Nelson:

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration. I first met and worked with Vice Admiral Neffenger when I served as the Chief of the Los Angeles Police Department. September 11 was a fresh wound when I assumed that position, and one of the first things we sought to do was strengthen L.A.’s counterterrorism posture. In this, I collaborated extensively with the Vice Admiral on enhancing the security of the port, and I can attest to his professionalism, competence, and dedication.

Later, as the Vice Chair of the Homeland Security Advisory Council, I worked closely with Administrator John Pistole. Owing to this, I have an understanding of the TSA and the duties and obligations of its leader. I have complete confidence that Vice Admiral Neffenger can fulfill the role, and do so in exemplary fashion.

I highly recommend Vice Admiral Peter Neffenger for TSA Administrator. Please feel free to contact me if you have any questions or comments.

All the best,

WILLIAM J. BRATTON,
Police Commissioner.

THE AMERICAN WATERWAYS OPERATORS
Arlington, VA, May 12, 2015

Hon. JOHN THUNE,
 Chairman,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Hon. BILL NELSON,
 Ranking Member,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration.

I have known Vice Admiral Neffenger for most of his professional career as a Coast Guard officer. We have worked together extensively on the common challenges of marine safety and maritime security that face his agency and my industry. He is one of the finest Coast Guard leaders who I am privileged to know.

Vice Admiral Neffenger is a leader with an unwavering commitment to America's homeland security, an extraordinary capacity for strategic vision, and an effective partner who works collaboratively to get important things done for the benefit of our Nation. Each of these attributes will serve him well as he works with Congress, industry and the flying public to accomplish the important security objectives of the TSA.

Vice Admiral Neffenger is also a man of deep integrity. His relationships with Congress, industry and the public will be characterized by trust and open communication. I know that based not only on my personal experience with him, but also based on the experience of hundreds of individual AWO members around the country who have worked with him for more than 30 years.

America's homeland security will be strengthened and enhanced with Vice Admiral Neffenger at the helm of the Transportation Security Administration. I highly and unequivocally recommend Vice Admiral Peter Neffenger for TSA Administrator.

Please feel free to contact me if you have any questions about my strong support for Vice Admiral Neffenger.

Sincerely,

THOMAS A. ALLEGRETTI,
President and CEO.

CRUISE LINES INTERNATIONAL ASSOCIATION
Washington, DC, May 12, 2015

Hon. JOHN THUNE,
 Chairman,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Hon. BILL NELSON,
 Ranking Member,
 U.S. Senate Committee on Commerce, Science, and Transportation,
 Washington, DC.

Dear Chairman Thune and Senator Nelson,

I write in support of Vice Admiral Peter Neffenger for his nomination as Administrator of the Transportation Security Administration.

Vice Admiral Pete Neffenger would serve as Administrator, Transportation Security Administration with great distinction just as he has served the United States Coast Guard with great distinction during his thirty-three year military career. The Cruise lines International Association wholeheartedly supports his nomination by the President for such an important position that is critical for our national security.

At the Cruise lines International Association, we have had the pleasure of working with VADM Neffenger for many years as he progressed through his Coast Guard career. We know firsthand of the depth and breadth of experience he has illustrated in his senior leadership positions that included security and other key responsibilities. Specifically, his leadership and pragmatism in emerging areas of pol-

icy development, including Transnational Crime, Arctic Operations, and Passenger Vessel Safety and Security are second to none.

Prior to his promotion to flag level, we also worked closely with VADM Neffenger in his leadership capacity in the Port of Los Angeles/Long Beach. That particular port addresses a wide range of challenging security issues on any given day. His professionalism and intellect are hallmarks of his character and both were always front and center, irrespective of whether we were in alignment or not on the underlying policy equities. This is absolutely essential for success in working collaboratively with the regulated community. It is difficult to envision someone better equipped to understand and communicate with those whose enterprises are deeply influenced by the effectiveness or ineffectiveness of TSA.

On a personal level, I worked closely with VADM Neffenger during my own Coast Guard career. This included serving as his legal advisor when he was a Director responsible the Coast Guard's resourcing and working side-by-side with him during the extraordinarily complex Deepwater Horizon incident in 2010. If the Nation were to ever again encounter a major transportation security crisis, we could not be in better hands than those of VADM Neffenger.

I greatly appreciate the opportunity to provide you with the views of the Cruise Lines International Association on the nomination of VADM Neffenger. Please do not hesitate to contact me if I can answer any additional questions or be of any further assistance. You can reach me on my direct dial or by cell.

Sincerely,

CHARLES V. DARR,
Senior Vice President,
Technical & Regulatory Affairs,
 Cruise Lines International Association (CLIA).

The CHAIRMAN. Thank you, Admiral, for those opening remarks. I will start with a couple of questions and then turn to our other colleagues who are here.

As I noted in my opening remarks, DHS Inspector General John Roth testified before the House Oversight Government Reform Committee last week regarding TSA. He said, and I want to quote, "I am deeply concerned about TSA's ability to execute its important mission."

Among other things, Mr. Roth's testimony highlighted vulnerabilities and challenges related to PreCheck, passenger and baggage screening, access controls to secure areas, workforce integrity, and operations that you as TSA Administrator will have to confront, should you be confirmed.

Specifically, Mr. Roth testified that TSA did not concur with the majority of the OIG's 17 recommendations to address vulnerabilities in the PreCheck program, and he said this represents, and again I quote, "TSA's failure to understand the gravity of the situation."

That testimony raises some serious questions. My question is how will you seek to ensure that the core mission of the TSA, to protect the Nation's transportation systems, will be carried out effectively in light of the concerns that have been identified by Mr. Roth?

Admiral NEFFENGER. Thanks for that question, Senator. I met with Mr. Roth earlier this week, because I read the testimony, and I have read the IG reports that were the basis of that testimony. I wanted to understand what his concerns were and what his concerns were with respect to the responsiveness of TSA to those concerns.

I told him that I saw great value in the oversight activities of the Inspector General and I saw great value in having an entity out-

side an agency looking hard at the agency's purpose and its actions.

I see a great work list of issues to attend to. I think the Inspector General has raised exactly the kinds of questions that if confirmed, I would ask going into TSA, irrespective of an Inspector General report out there.

When I look at the world of security, I think in terms of first of all, what is the threat that we are facing, and how is that threat evolving over time. There is a big intelligence component of that.

What are the risks or what are the vulnerabilities in the system that create the risk of that threat acting, and more importantly, what are the capabilities we have to address those vulnerabilities and to eliminate that threat if necessary or if possible, or reduce it to an acceptable level if it cannot be fully eliminated.

Finally, how does the workforce field those tools, how do you train the workforce appropriately to do that, and then how do I ensure that workforce stays trained and continually adapts and evolves?

The questions that were raised by the Inspector General are questions about ability to adapt to threat, ability to understand the intelligence behind the threat, ability to understand vulnerabilities in the system, and more importantly, an understanding of a security system as a whole and the various layers and pieces associated with that.

If confirmed, I intend to look at those issues carefully. I take the IG's reports very seriously. I promised Inspector General Roth that I would be back to talk with him in more detail if I had the opportunity to do so.

The CHAIRMAN. If you are confirmed, would you pledge to a follow-up meeting with Senator Nelson, me, and other interested members of the Committee to talk about some of the concerns that have been raised—certain TSA policies?

Admiral NEFFINGER. Mr. Chairman, I would very much look forward to working with this committee on those issues.

The CHAIRMAN. On March 17, 2015, a bipartisan group of committee members, including myself, Ranking Member Nelson, Senators Ayotte and Cantwell, sent a letter regarding multiple serious security lapses involved in the use of secure identification display area or SIDA badges.

The incidents range from a Delta ramp agent in Atlanta using a SIDA badge to facilitate an interstate gun smuggling operation to a report that thousands of SIDA badges at Hartsfield-Jackson Atlanta International Airport were unaccounted for.

Just yesterday, we learned about criminal charges brought by the FBI, the IRS, and the U.S. Attorneys Office against 14 baggage handlers and co-conspirators in California for using their SIDA badges to bypass TSA check points in illegally transporting drugs across the country over nearly a 3-year period.

TSA's response to our March letter indicated the agency does not maintain any record of lost or unaccounted for SIDA badges, leaving the airports responsible for the maintenance of such records.

Should you be confirmed, what will you do to ensure that TSA does more to oversee and enforce the regulatory requirements and

security directives regarding SIDA badges so that we do not continue to discover these abuses?

As a follow-up to that, how will you hold airports accountable for these very serious security lapses?

Admiral NEFFINGER. Senator, I appreciate the fact that your staff shared with me the correspondence you have had with TSA on this matter. I had a chance to read your letters as well as the response from TSA.

I share your concern with the breaches of security that have been discovered over the past months. I am encouraged by the Aviation Security Advisory Committee report that looked at this issue, and I think there are a number of recommendations that came out of that which deserve some attention.

With a population that is supposed to be known, vetted, and trusted comes the responsibility to ensure that you take that trust, but you verify periodically that trust is warranted in those individuals.

I know there are a number of airports out there, two in Mr. Nelson's state, that are doing 100 percent screening. I believe it is Miami Dade and Orlando. I would like to visit those airports and understand what 100 percent screening of the trusted population looks like, how is it done, and how is it done in a way that encourages us that it is effective.

I think there is a lot to be said for reducing the number of access points to airports. Certainly, immediately introducing randomized screening of employees so there is an expectation that you might be screened when you go there.

What I would like to say is I want to look at how this is currently being done, I want to understand truly what TSA's authorities are with respect to oversight of the SIDA badge issue, and what are the airport authorities' responsibilities, and how are those being overseen and how are those being enforced, what are the standards nationwide that are being set for that.

Then what is the insider threat, what are the processes to try to identify insider threats in the future, so you do not discover after the fact that you have had an operation like what was happening in Atlanta.

The CHAIRMAN. You mentioned the advisory committee report. Obviously, you are familiar with it. Do you believe it offers a good blueprint of actionable items that could be undertaken to enhance security?

Admiral NEFFINGER. I think it does, Senator.

The CHAIRMAN. My time has expired. I will turn now to Senator Nelson for questions he might have.

Senator NELSON. Again, in the interest of brevity, I will submit most of the questions for the record.

I am delighted to hear you say you will come to Miami and Orlando, so you can see how practically speaking it was implemented, and it has worked in Miami since 1999, and in Orlando, since 2009.

It is bearing a cost, and that is putting up screening of all the airport employees coming onto the premises, by taking hundreds of entry points and boiling it down to a handful, and then checking them like you would be checking a passenger.

When you check it out, then the question is, for example, on the magnetometer, how much do they tune it up. Do they tune it up to the point at which you are screening airport employees to the same degree that you are screening passengers, and what other checks and balances are there, swiping the card, having the employee enter an identification number, so it is another check to make sure that the employee is who they say they are going into the secure space, which of course, was the problem in Atlanta.

The employees could get in and then they had this prearrangements whereby then they would go into the sterile area of the passengers, and in the men's room, switch out the guns into an empty backpack of the prearranged passenger, who then carried these guns—unbelievably—including a carbine. The last time they arrested him, he had 16 handguns in his backpack. Thank goodness he was a criminal and not a terrorist.

It again shows the whole airport security is one thing, TSA security is another, but this is clearly a case where one affected the other.

Thank you for offering to come, and I hope that you can learn something that could be applied to the other 448 airports in the country that are not doing this.

Admiral NEFFINGER. Thank you, Senator. I look forward to the visit, and I look forward to learning what those best practices are.

Senator NELSON [presiding]. I am going to turn to the Senator from Connecticut.

**STATEMENT OF HON. RICHARD BLUMENTHAL,
U.S. SENATOR FROM CONNECTICUT**

Senator BLUMENTHAL. Thank you. Thanks for being here, Admiral. Thanks for your service to our Nation.

I want to focus, if I may, on security in rail and transit. Our country's public transportation and passenger rail systems are used by tens of millions of people every day, and they are the backbone of economic activity throughout our Nation.

We have only to look at the consequences of the Philadelphia tragedy to see the losses that can occur when our rails are shut down, \$100 million a day to the Northeast region alone.

Our rails carry five times as many people per day as our airlines do. Penn Station in New York City handles half a million passengers a day, making it busier than all of our airports, and in your city regional airports combined. It is the busiest transportation hub in our country.

The special commission investigating 9/11 urged vigilant protection of, and I am quoting, "Neglected parts of our transportation security system, like rail and transit, just as much as we protect aviation." That commission said "Surface transportation systems such as railroads and mass transit remain hard to protect because they are so inaccessible and extensive."

I posed some questions during one of our hearings, in fact, back in March, on the TSA. I asked TSA in a question for the record when the mandates from the 2007 law—it is called Implementing Recommendations of the 9/11 Commission Act, Public Law 110-53—when those mandates would be approved.

I received a very broad nebulous statement in response. I would appreciate a commitment from you that you will answer specifically about those mandates, when they will be implemented. The mandates, for example, include approving security plans for all railroads that are considered vulnerable, high risk targets for terrorist attacks, issue regulations that establish training standards on potential security threats, provide a framework for conducting name based security background checks and immigration status checks.

These recommendations were due that year, but it is now May 2015, approaching 8 years since the deadline, and we still have no final action on those requirements.

I am asking you for a commitment to give me specific time lines.

Admiral NEFFINGER. Senator, I share your concern for the security of our surface transportation systems. This is the world I have spent most of my career in, primarily maritime transportation, but also the intermodal connections to that, the rail connections, the trucking connections, and the like, and the fact that the surface transportation systems that I am familiar with are directly connected and co-located with large population centers.

I understand the concern with respect to that. Our surface transportation, as you know, is a much more diverse and dispersed set of elements, and you have many, many types of elements in that world, from buses and trucks and the like to light rail, heavy rail, and passenger rail.

I think it is important to understand what the various threats are out there. I go back to the concern about the intelligence, and then more importantly, I think the initiatives that are outlined in Public Law 110-53, as you noted, are fairly straightforward. Security plans, you do need to understand how you are going to respond to something if you have an event.

You need to have a common set of standards across the systems. Those standards may differ from mode to mode, but they should be consistent within the mode, and they should be based upon what we understand of the threat, and they should evolve over time. The easiest security system to defeat is the one that assumes you got the answer right.

There are a lot of partners involved in this as well, so what is the connection to your private sector partners, the other public sector partners, and then how are those connections and those partnerships maintained over time.

I intend to look very hard at this if confirmed, and understand—

Senator BLUMENTHAL. I am asking for a commitment that you will give us some time lines as to when there will be compliance with the law. That seems like a basic request. Can I interpret your remarks as yes?

Admiral NEFFINGER. I will look hard at this law, and how TSA has addressed its commitments and its responsibilities under the law. What I will tell you is I believe very strongly in applying the law of the land as it was intended.

Senator BLUMENTHAL. I hope you do. You are going to be taking an oath of office to faithfully execute those laws.

Admiral NEFFINGER. Yes, sir.

Senator BLUMENTHAL. You have done that repeatedly as a member of our Armed Services. I know you take them very seriously.

Admiral NEFFINGER. Yes, sir.

Senator BLUMENTHAL. These measures were approved by this Congress 8 years ago. They still have not been implemented. I am asking you for a commitment to develop time lines for implementing. I am not asking for them to be done on your first day in office. I am asking for a commitment to take them seriously and provide time lines.

Admiral NEFFINGER. Senator, I will look hard at what the current time lines are that have been provided. I assume you have been given some indication to date. I would like to find out what that is.

Senator BLUMENTHAL. I will give you the opportunity to respond in writing, if you would.

Admiral NEFFINGER. I would do that; yes, sir.

Senator BLUMENTHAL. I do not mean to hit you cold with a request of this nature, but I do think it is important to your confirmation that you commit to providing some sense of when there will be compliance with the law. I think that is a pretty reasonable response.

Admiral NEFFINGER. I will look at what it takes to comply with the law.

Senator BLUMENTHAL. I am sorry, I think that is a pretty reasonable request.

Admiral NEFFINGER. Yes, sir. I really do look forward to working with you on ensuring I answer that question.

Senator BLUMENTHAL. In that spirit, I would like to ask you whether you would be willing to come to one of our rail stations and/or airports in Connecticut to give us some idea of what you think the security threats are, either in New Haven, Stamford, or Hartford.

Admiral NEFFINGER. Senator, I would be happy to do that, and if confirmed, I look forward to getting out quite a bit to understand—not only to talk about what the current threats are but to see how individual components of the system are addressing those threats and working collectively to ensure the security—

Senator BLUMENTHAL. I appreciate your commitment to come to Connecticut. I will be in touch with your office if you are confirmed, and I look forward to receiving more information from you in writing about the implementation of Public Law 110-53.

Admiral NEFFINGER. Thank you, Senator.

The CHAIRMAN [presiding]. Thank you, Senator Blumenthal. Senator Klobuchar?

**STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. Thanks so much, Mr. Chairman, and thank you, and congratulations on your nomination.

Obviously, you have a very important job, and it is often said it is one of the hardest jobs in Washington, and I think that is reflected in some of the questions you have gotten today.

In my home state, as you probably know, we have had several people charged since November with traveling or attempting to

travel to the Middle East to join ISIS, and before that, we had a number indicted, and actually a number convicted for trying to join al-Shabaab, and that continues to be an issue for our state, both groups.

If you are confirmed, how will you ensure that information such as no fly lists or biometric data be disseminated amongst allies to prevent someone believed to have been trained by terrorists from boarding a plane heading to the U.S. and how will you ensure that TSA works with domestic agencies and international partners to respond to threats?

Admiral NEFFINGER. Thank you, Senator Klobuchar, for the question. You are at the heart of the challenge with respect to understanding the threat, so it is about information sharing and sharing it appropriately and expeditiously, and to the right people at the right time, so that you do not have—so that if you have somebody attempting to travel unlawfully through the system or worse, that you know about that before that attempt happens.

I have had some briefings with respect to how this is currently done. There are a lot of players in that world, not the least of which are the other Federal law enforcement agencies and some of the intelligence agencies of this nation.

As you know, the Coast Guard has been a member of the intelligence community for quite some time. I have worked closely in that world. I am familiar with the ways in which you have to take national level intelligence and turn it into intelligence that can be shared with your local partners and even your overseas partners.

If confirmed, what I would like to do is take a deeper dive into how that information is currently moving in the transportation security world, particularly how it gets processed into TSA, how it gets processed out of TSA, and then more importantly, how it gets sent to the very people who need to know it the most, which are those front line agents and officers who have to actually make a decision on the spot as to whether or not somebody is a threat.

Senator KLOBUCHAR. One other thing related to flying, I just wanted to make sure you are aware of, in 2012, Senator Blunt and I got passed and signed into law the No Hassle Flying Act. It allows the TSA to waive domestic baggage rescreening for luggage that has already been screened, which is key, by U.S. Customs and Border Protection at a foreign airport that meets our standards, such as one of the eight airports in Canada that has pre-clearance facilities.

I asked Acting Administrator Carraway about the implementation of this program, and just wanted to let you know that I hope it will continue under your leadership.

Admiral NEFFINGER. Thank you. It sounds like a good program, Senator.

Senator KLOBUCHAR. Yes, we worked hard on that one. Another air-related thing, I head up the Travel Caucus and do a lot of work in tourism, and again, Senator Blunt and I got the Brand USA re-authorized, so I understand this mix of security protection, but as well as trying to make these experiences for travelers as we look at bringing people in, so many foreign travelers that want to follow the law and visit our shores, how important that is to our economy, one of the biggest industries in the country.

Customs and Border Protection has actually worked with private sector companies like Disney, and there has been a number of airports that have partnered with different private sector partners to improve traveler experiences and our efficiencies at our port of entry.

This is not just people waiting in line. It is also about how they are treated when they get there. It is also about the possibility of having videos of our country that play while they are waiting in line and other things.

I just wondered about your views on that. This is completely outside of just the security portion, which of course has to be respected, but that does not mean when people come to the airport, that we do not want them to have a good experience so they want to come back again.

Can you talk about some of your ideas or what you know about this subject?

Admiral NEFFINGER. I will, Senator. As you know, the Coast Guard has a very public face to it as well. We interact quite a bit with the public. Sometimes those interactions are probably not what the public wants.

I can remember as a junior officer boarding a recreational boat to determine if they had the proper safety equipment onboard and they were operating in a safe manner, and I am sure I interrupted a family's enjoyable afternoon on the water. It was up in the Great Lakes, as a matter of fact.

Customer service is important to me, and the way in which we interact. The public is as much a part of the system as the people there to protect the public.

In the Coast Guard, every single member of the Coast Guard who comes in is read a letter that Alexander Hamilton, first Secretary of the Treasury, sent to the first 10 skippers of the Revenue Cutter Service, the first 10 commanding officers. The Revenue Cutter Service was the precursor to the modern day Coast Guard.

It was a long letter and it laid out all sorts of duties and responsibilities, it said what the law was, but if you think about this, these revenue cutters were designed to do something for the first time, for the brand new United States of America, that had never been done, which is to stop merchant vessels at sea and collect duties on the cargo they were bringing in. Something that was probably not expected or welcomed by the people bringing them in.

In that letter, the most important line, there is one line in there where he says "Always keep in mind that your countrymen are free men and as such are impatient of everything that bears the least mark of a dominating spirit."

He goes on to explain because you have the law on your side, and he also goes on to explain that if I find out you have mistreated people, then you will have me to answer to.

That is always in the back of my mind, and over the years—every time I have advanced somebody in rank or promoted them, I always read this letter to them after they take the oath of office, and I read this section, and I remind them that first and foremost our job is to protect and safeguard the public that we serve, it is the public that we serve that put us in our job, and they expect to be treated with respect and dignity.

That is the approach that I bring, if I get confirmed at TSA. I look to instill that same sentiment.

Senator KLOBUCHAR. The idea here is to work with the Commerce Department, you have to figure this out when you get in the job, but to work on some of these issues.

I think there has been improvement with how TSA has been treating people. It is not as much my issue as just looking at how we can make things as efficient as possible in those port of entries, but also how we can partner with the private sector to actually make them look better. They are entering our country for the first time.

This may be a bit of a luxury we have now because the economy is improving, but we are having more and more foreign visitors on our shore, we are finally advertising in other countries, and we want them to come back and spend money in the U.S., because that means jobs in the U.S.

Thank you very much, appreciate it.

Admiral NEFFINGER. Thank you.

The CHAIRMAN. Thank you, Senator Klobuchar. Let me just do one more follow-up question regarding some of the issues that are going to be directly under your jurisdiction.

We had in 2010 an appearance before this committee of TSA Administrator Pistole to rate the effectiveness of the TWIC program as 3 out of 10. In addition, the GAO has issued harsh criticisms of the program. This committee has repeatedly expressed its concerns with delays in issuing TWIC cards to individuals, and the long delay in releasing a final rule to regulate the TWIC readers.

Just yesterday, this committee passed legislation that would provide for an outside review of the program with the goal of developing a corrective action plan to make improvements.

Your role in the Coast Guard working on port security issues provides you with unique insight into the value of the program. Could you please provide us with your thoughts and your plan for improving the management of this program?

Admiral NEFFINGER. Thank you, Mr. Chairman. I will start by saying I think there is great value in having a known trusted vetted population moving in and out of areas that we think may have vulnerabilities or security challenges, and the port environment is one of those, very dynamic and very open environments, and there is a lot of moving in and out.

I think the goal of a vetted understood population is a laudable one and a good one.

The TWIC program itself has been challenging over the years, and although I have not in the Coast Guard been directly involved in the various components, I have had oversight responsibility for aspects of it.

The reader rule, as you know, is a Coast Guard owned rule, and that is in the process of coming to fruition now, which would allow us to actually read the biometric on the chip.

I am in favor of independent reviews on a periodic basis because I think they can raise issues that you might become blind to over time, as you are working through the implementation of a project.

This was a challenging project, I know, over time because in some senses it was maybe the largest issuance of a Federal I.D. to

a private workforce that will then be privately enforced at multiple locations around the Nation. There are challenges associated with that.

I am interested in looking at delving deeper into the GAO concerns, meeting with the GAO. I have not had a chance to sit down with the General Accountability Office yet, but I intend to do so over the coming weeks, and in particular, take a harder look at the current status of TWIC.

I know in the briefings I have had with TSA, they have done a lot of things to improve the throughput and the turn around time on the TWIC, but ultimately what you want is an I.D. card that can be trusted, and that can verify the individual who is presenting it is in fact that individual.

The CHAIRMAN. This is a little bit off topic, at least with your nomination for TSA, but would you like to share with the Committee your understanding of the Coast Guard response to the oil spill near Santa Barbara?

Admiral NEFFINGER. That is an ongoing spill response. As you know, it happened over the—it was a pipeline spill, a pipeline rupture. It has put a fair amount of oil into the water. I forget the exact number of gallons, but it is significant enough to have caused some shore line impacts.

The response is fairly straightforward in terms of the techniques that are used, and I think from the response standpoint, I think the responders are doing everything they can do at this point.

The real challenge is in the long term clean up as well as the long term mitigation efforts that might follow as a result of that, and then holding the company accountable for that and the costs associated with the spill.

I know we have a number of responders. I do not know the exact count. The local Coast Guard Captain in that region is responding to that. We are quite concerned; there are some highly sensitive areas along the California coast there. We want to make sure we have addressed the potential for any follow on spills that come out of that.

I can provide the Committee with detail on that, and I would be happy to do so for the record.

[The information referred to follows:]

1. The Responsible Party's worst case estimate is 101,000–140,000 gallons, with an estimated 21,000 gallons reaching the ocean. Source: <http://www.refugioresponse.com>

2. At the height of the spill response, approximately 1,400 personnel were in the Incident Command Post and the field conducting response operations (June 29, 2015). At present (August 30, 2015), 91 responders and incident management personnel are conducting maintenance and monitoring.

3. The spill occurred on May 19, 2015 and transitioned to Phase III (with approval of the Guidelines for Maintenance and Monitoring) on August 7, 2015 (81 days). Maintenance and monitoring activities are ongoing.

4. Key partners involved:

- a. U.S. Department of Transportation
- b. USCG
- c. EPA
- d. U.S. Fish and Wildlife Service
- e. NOAA
- f. California (CA) Department of Fish and Wildlife
- g. Office of Spill Prevention and Response

- h. Santa Barbara County
- i. Chumash Indian Tribe
- j. 55 local environmental non-government organizations

5. Future plans: Per Phase III (Guidelines for Maintenance and Monitoring), teams will continue to survey and monitor from Arroyo Hondo to Rincon Point following the Shoreline Cleanup Assessment Technique (SCAT) process. The SCAT process characterizes and documents the nature and extent of oiling and recommends appropriate treatment within the affected areas. SCAT surveys will be conducted using standardized protocols by teams on foot for accessible shorelines in the affected area.

SCAT teams will:

- Survey for buried oil that has been uncovered through sand erosion;
- Conduct periodic oil sampling throughout the Santa Barbara response area and compare oil samples to the oil that was discharged from Line 901;
- Search for and sample oil in areas after the first significant storm event (storms erode beaches and may reveal previously unknown oil deposits);
- Conduct sampling in December 2015 and May of 2016;
- Determine cleanup needs if Line 901 oil is found; and
- Monitor progress in areas where scientists determine that further cleanup would do greater harm to the environment versus natural recovery/remediation processes.

The CHAIRMAN. You were the on-the-scene coordinator for the BP oil spill, which this committee just had a hearing on, on its anniversary. Can you give us maybe a sense of the Coast Guard response with state and other partners there?

Admiral NEFFINGER. As you know, the BP oil spill was the largest oil spill in our history, and what made it particularly challenging is it was an ongoing spill for 75 consecutive days. We had the equivalent of a spill the size of the Exxon Valdez every single day for 75 days, so matter what you did 1 day, you were looking at a huge volume of oil the following day.

That one taxed all the resources available. At one point we had 2,500 miles of boom stretched out. I think given its scope, given the complexity of that spill, it stretched across five Gulf states, it impacted many different types of wildlife, shore line, and habitat. We put to bear pretty much every type of oil clean up technique and equipment type you could have, over 50,000 people responding.

I think in retrospect, given the severity of the spill and given the fact that any time you have that much of an oil spill, you are going to have damage and environmental impact.

I think the responders did truly a remarkable job of limiting the amount of damage done. That is not to say there is not damage and there is not going to be some ongoing assessments with respect to how severe that damage was.

I think when you look in retrospect at how much was done and how much had to be done, it is remarkable that we did not see even more damage from that spill.

The CHAIRMAN. All right. I think we have exhausted the people who want to ask you questions. Maybe not. The Senator from Alaska has arrived. We will give him a minute. I think you may be here on the hot seat for at least a few more minutes. Senator Sullivan?

**STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Mr. Chairman. Admiral, thanks. Sorry about the tardy arrival here.

One thing that I just wanted to start with, first, thanks for your outstanding career with the Coast Guard. I always like to ask candidates or nominees for these important positions the very basic question of why you want the job.

You know, TSA, if you get confirmed, you are going to come back to this committee. There will be hiccups and things you are going to have to answer for. You probably are going to have the cameras rolling and some senator beating the living daylights out of you on TV.

Why do you want to do this?

Admiral NEFFINGER. Senator Sullivan, thank you. That is a great question. That is a question I asked myself. I wind up with the same answer that had me join the Coast Guard in the first place.

As corny as it may sound—I was 5 years old when John Kennedy was inaugurated as President. I grew up with the “ask what you can do for your country” tag line, and it was drilled into us by every teacher I had throughout my grade school and elementary school experience. My parents reminded me of that repeatedly.

I grew up with this idea of public service. I really believe in public service. I believe it is an important—there are important missions in serving the public.

Some of this is when your country asks you for something, I think you owe it to your country to consider it. Then I looked at the agency itself. I thought how would I fit into the Transportation Security Administration, and there are a remarkable number of similarities between the Coast Guard and TSA in these terms, it is a mission-focused agency, it has a really, really important mission. In many respects, it is a no fail mission.

I am impressed by people who have already raised their hand and taken an oath and said I want to do that, I want to do this really hard job that this Nation has to offer me. I know it is going to be a tough job. It might not even be a job where I am well liked.

I look at the men and women who are on the front line at TSA every day, and I think that is really a tough, tough job, and they deserve somebody who respects and admires them for the work they do.

I like that idea. I like the idea of building an agency culture around mission. I like the idea of reminding people of the importance of those missions, and then I am familiar with these geographically diverse and dispersed workforces. It is a relatively junior workforce in terms of their relative place in the organization. How do you engage a workforce like that, and how do you get them to feel a part of something.

We have some pretty remote Coast Guard locations, you know yourself, you have some really remote Coast Guard locations in Alaska. There is a great story about a guy who got sent to St. Paul once and he thought it was Minnesota and found out it was Alaska and told his family that—

Senator SULLIVAN. I was just with a bunch of Alaskans in St. Paul yesterday. Great Americans.

Admiral NEFFINGER. He spent most of the time moving a rock from one side of the island to the other to try to get a little closer to home.

I look at that and I think how do you touch people, how do you trust them to do the job. They are very young, they are junior. You are giving them in many respects some of the most challenging missions they could have, and you tell them you cannot fail, and then you leave them all alone on their own.

I think all of that looks like a way of thinking that applies directly to the Transportation Security Administration, and as I said, it looked more and more intriguing the more I saw it, and I believe in public service.

Senator SULLIVAN. Great. Thank you for that. I appreciate that heartfelt answer. It is good to hear.

I want to talk about emerging threats and how you believe TSA is keeping ahead of those threats, do you think they are? What do you think we need to do?

There has been a lot of criticism of the agency, that you if confirmed will be leading. I think any time you stand up a brand new agency, particularly in the kind of circumstances that we stood up TSA after 9/11, there is going to be hiccups, there is going to be bumps in the road.

I always go out of my way in Alaska to compliment our TSA agents who I think are doing a good job, not perfect. There are some issues that a lot of Alaskans have concerns about. I had an address to our state legislature, one of the leaders in the state legislature had concerns about the TSA becoming much more kind of law enforcement as opposed to security.

How do you mix those and stay in front of these emerging threats? As you say, we cannot afford to fail in that mission the TSA has.

Admiral NEFFINGER. That is the challenge, I think, facing TSA. As I think about security and I think about what makes for an effective security system, clearly, there has to be a number of layers in that security system, and no one single layer can be expected to stop all threats from getting through.

Then how does that system evolve over time. We know those who would exploit or do harm are those who would try to bypass the system or game the system will do so if it is static over time. How do you evolve that system, how do you understand how the threat is changing.

As I look at the threat streams, and I have had a number of briefings on the current threat to the transportation systems, specifically the aviation systems, and we know that threat is evolving.

It evolved immediately after 9/11. You saw Richard Reid, the shoe bomber, very shortly after 9/11, and Abdulmutallab, the underwear bomber case. All of those things tell us that you have a learning enemy, and the enemy does get a vote in this as well.

I think it is important that you have a clear and strong connection to the intelligence community, that your intelligence community is focused on understanding the threat and how it might be

evolving, that you pay attention to what the intelligence community is saying, and that you disseminate that.

You have to get that training into the workforce, and then you have to have a system that adapts to the threat, so that if, for example, you have some element of your security system that no longer addresses some specific new threat, then what are the other layers of your system that can compensate for that until you can get that element back up to where it needs to be.

If confirmed, I intend to ask lots of questions about that, and I would really want to focus on this evolving adaptable nature. I think that has to be built into the culture of the organization. It has to be a learning organization, an adapting organization, one that never thinks it got the question right.

The security system today does not necessarily mean that is the security system of tomorrow. In fact, I want to know what the security system tomorrow looks like, next year, and the year after, so it stays ahead of the enemy that would exploit the system.

Senator SULLIVAN. Let me ask one final question. This is a little bit more kind of Alaska and regional specific. After 9/11, Congress mandated that airports install explosive detective systems. There was a promise of Federal cost sharing, that 90 to 95 percent, I think most airports have abided by that, have implemented that.

I also think most airports have not received in return the promise of reimbursements. I think in Alaska, the Anchorage Airport has about a \$20 million reimbursement. For an airport our size, that is a significant amount of money. It is obviously much larger in some of the bigger airports.

Would you consider making sure these outstanding reimbursements are part of the President's budget request if confirmed? Right now, I believe that is an issue that has not come up in the budget, even though there was a reliance by many, many airports throughout the country on that promise.

Admiral NEFFINGER. As I understand it, I think you are referring to in line baggage systems in particular in airports and the program that would allow airports to seek reimbursement or Federal matching funding for that.

I am not familiar with the specific case in Anchorage. I have been briefed in general on that program. If confirmed, I want to understand first of all how much money has been allocated to that, what is the appropriation, and are the resources that have been currently appropriated adequate to support the program, and what are the ways in which that program operates, what is the process for doing that, and how well understood is that process and how well has it been done.

What I would like to do is look at that, and promise to come back to you, Senator, and tell you what I found afterwards.

Senator SULLIVAN [presiding]. Great. That concludes the hearing. The hearing record will remain open for two weeks. During this time, Senators are asked to submit any additional questions for the record. Upon receipt, the witnesses are requested to submit their written responses and answers to the Committee as soon as possible.

Senator SULLIVAN. I want to thank you, Admiral, for your desire to serve your country, for your great service to your country. I have not even asked you if you have served in Alaska. Have you?

Admiral NEFFINGER. Unfortunately, I never had the chance to be stationed there.

Senator SULLIVAN. I will not hold that against you.

Admiral NEFFINGER. I spent a lot of time in Alaska. In fact, I was up in Barrow just about 4 months ago.

Senator SULLIVAN. The Coast Guard does fantastic work up there. We just want more Coasties, not less, in Alaska.

This hearing is now adjourned. Thank you very much.

[Whereupon, at 12:02 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO VICE ADMIRAL PETER V. NEFFINGER

Question 1. In March of this year, Senator Nelson and I sent a letter to the Transportation Security Administration (TSA) regarding the revelation that the agency had allowed a convicted domestic terrorist to qualify for expedited screening. Clearly, an incident like this reflects the necessity for the TSA to continually revise its screening processes and risk assessment rules in order to reduce vulnerabilities. Should you be confirmed as TSA Administrator, what would you do to improve risk-based, expedited screening initiatives to reduce security vulnerabilities?

Answer. A risk-based approach to security requires continuous assessment, adaptation to threats, and adjustments to the security regime to ensure the system remains responsive, unpredictable, and layered. Recognizing that the vast majority of the people, goods, and services moving through our transportation system are legitimate and appropriate, the key elements are to segregate risks, identify less risky populations, and then apply a range of capabilities tailored to each operating location and to each population. This approach requires continuous assessment of the threat, a focused and on-going effort to continue to partition risk, an aggressive process to understanding and mitigating the system's vulnerabilities, a nimble operational concept, a rapid development process for new capabilities, and vigorous testing and training of the workforce. If confirmed, my intent would be to ensure such a system is in place. I would work to strengthen our self-assessment capabilities, evaluate our vulnerability mitigation plans, closely review operations and training, include the efficacy of expedited screening operations, and I would ensure we have a process to continually measure the appropriateness and effectiveness of the various layers and tools of security currently in use.

Question 2. In March 2015, an investigative report documented misconduct among some Federal Air Marshals who were inappropriately reassigned from their allotted flights as part of a scheme to facilitate improper relationships with other employees or to get better routes and travel to cities they preferred. I wrote a letter last month, along with Sen. Nelson, to the Department of Homeland Security's Inspector General (IG) asking him to investigate any criminal activity that occurred and any high risk flights that should have been covered by the Federal Air Marshals that were not staffed appropriately as a result of the misconduct. The IG responded that his office has joined the criminal investigation into misconduct currently being led by TSA's Office of Inspections and the Department of Justice. With this and other serious instances of employee misconduct reported in the media in recent months, how do you intend to ensure that TSA maintains a culture of integrity?

Answer. Based on my experiences in leadership and public service I believe that an organization must continually set and reinforce the standards of dignity, respect, integrity, and professionalism in order to embed them into an agency's culture. An agency must set clear standards of behavior, train and operate to those standards, and hold its members appropriately accountable when they violate those standards. If confirmed, I will follow these proven lessons of leadership and apply a similar effort in conveying the values of the organization, to further instill them into the daily behavior of every employee throughout the TSA workforce, and to hold individuals accountable when behavior falls short of these expectations.

Question 3. Serious allegations about employee misconduct at TSA have a negative effect on employee morale. How do you intend to work on improving employee morale at TSA with its large workforce of over 50,000 personnel?

Answer. My experience reflects that strong and positive morale results directly from a positive leadership approach. In this approach, leaders care about what matters to those we lead. Successful leaders have an awareness of what compels employees to commit their talents, energy, and effort to any endeavor. In my view, regardless of the generation, what drives motivations of the employees in a workforce is knowing that what they do matters, that the work is meaningful, and that each

employee can provide value and make a difference. Thus, if confirmed, it will be my intent to ensure that each member of TSA has a clear, well-defined purpose, that they know the importance of their mission, that they are trained and empowered to perform their duties, that they are valued and supported in doing that mission, and that leadership provides equitable and consistent accountability at all levels, as well as appropriate recognition for performance. Another significant component of morale and performance is the recognition in the workforce that the leaders appreciate the challenges of their employees' work and that the leaders are responding to those challenges. Leaders must create opportunities to listen to the workforce, to understand workforce challenges, and to act upon concerns both to advance the mission and to support employees in executing their duties. This can take the form of new training, better tools, and improved procedures or it can mean that we have their back when we ask them to do difficult things as part of their no-fail mission. This is the approach I have taken in my current career, and, if confirmed, it is the approach I will bring to TSA.

Question 4. While the focus at TSA is largely on commercial aviation, international terrorist attacks have proven that "soft" targets like passenger rail, transit systems, and pipelines are also attractive for terrorist groups and lone wolves. How will you allocate resources to these potentially more vulnerable targets in a risk based manner?

Answer. Surface transportation comes in many forms—buses, ferries, passenger rail, heavy rail, light rail, subways, and other similar conveyances. These modes are widely distributed and, by their nature and design, are more open and accessible than the aviation sector. Still, delivering security to these systems requires a similar approach to the one employed in securing aviation. These modes require a continuous evaluation of the strategic security environment, as well as an understanding of the threats and how they are evolving. They also require that we field appropriate capabilities to address these threats. These capabilities are responsive to the distributed nature of these transportation modes. Ultimately, in the surface sector, security is best delivered through a network of interconnected capabilities and, by necessity, includes partnerships with state and local transportation security providers. TSA plays an important role in developing standards and best practices in leveraging this distributed capability, as well as sharing information among these entities. If confirmed, I will examine the nature and extent of these partnerships, seek to understand their challenges and effectiveness, and provide the oversight and standards needed to ensure there are appropriate and effective protections in place.

Question 5. On May 6, 2015, TSA resubmitted to Congress two controversial fee proposals. The first would increase the Aviation Passenger Security Fee from \$5.60 per one-way trip to \$6.00 in the second quarter of FY2016, and would continue to increase the fee up to \$7.50 in FY2019. The second proposal would, in FY 2017, reinstate the Aviation Security Infrastructure Fee, which was repealed under the Bipartisan Budget Act that the President signed last year. What are your thoughts on the current proposals put forward by the TSA to increase the Aviation Security Passenger Fee and reinstate the Aviation Security Infrastructure Fee? Will you commit to working with this Committee and others in Congress when such issues arise, should you be confirmed?

Answer. I am aware that passenger fees are used to help fund the TSA mission in addition to annual appropriated funds. If confirmed, I look forward to examining both the current execution of the FY15 appropriated budget and the FY16 budget request to ensure the agency is suitably resourced for its important mission. Also, if confirmed, I look forward to working with this Committee and the Congress to strike an appropriate balance among fee-based and appropriated funding approaches.

Question 6. TSA serves as the face of the Federal Government to millions of Americans every day. You mentioned in your reply to the Committee's questionnaire that customer experience is among the top challenges you see facing the TSA. What will you do to improve customer experience should you be confirmed as TSA Administrator? How will you engage with stakeholders like airports and technology companies to improve the relationship with TSA in order to effectively and reliably secure transportation systems?

Answer. Through my current career, I have routinely interacted with the public in enforcing maritime safety and in conducting the Coast Guard's law enforcement missions. I have learned that an organization designed to enforce rules and the law must do so with respect for the public that it serves, and a commitment to doing so professionally and dispassionately. We live in a nation that cherishes its rights and liberties, and our workforce must respect these rights and liberties while performing its security mission. While security is inherently intrusive, TSA must exer-

cise its authorities with the highest degree of dignity and respect. In my experience in the Coast Guard, continually reinforcing this message and ensuring that leaders at all levels reinforce those expectations can be successful in embedding them into an agency's culture. If confirmed, reinforcing and instilling this mindset into the TSA workforce will help to ensure a positive experience without compromising the effectiveness or success of the security mission.

The security of our transportation system also depends upon strong partnerships at all levels of government, with the private sector and with the traveling public. If confirmed, I envision communication, genuine collaboration, information sharing and involving stakeholders in developing solutions to the challenges we face as key elements of the approach I would take in leading TSA and in protecting our national transportation system. I have had extensive experience in working across government, with the private sector and with the public in setting and achieving security goals, and if confirmed, will continue to employ this collaborative approach.

Question 7. TSA has faced significant challenges in the past in developing and responsibly acquiring new security technologies. Given how important cutting edge technology is to securing our Nation's critical transportation systems, how should TSA's limited resources be focused to develop and acquire better technology and how can the current process be responsibly streamlined to ensure that taxpayer dollars are not being wasted?

Answer. Science, technology, research, and product development will continue to provide invaluable tools to support the TSA security mission. In my current role as Vice Commandant of the Coast Guard, I serve as the Component Acquisition Executive. I have been directly involved in managing this system as well as participating in a variety of system and process improvements over the past decade. I understand how critical a sound, defensible, and responsive acquisition program is to mission results. It requires a deep understanding of the capabilities of potential technology, partnerships with industry and the private sector to ensure appropriate investment, flexible and adaptive systems that are responsive to the threat without sacrificing strong controls and program oversight, sound project management, and strict adherence to Federal law and DHS policies. In my preparation, I have been provided an overview of the TSA Acquisition Program and the program management process. If confirmed, I will apply my extensive experience in acquisition oversight to the TSA acquisition enterprise to ensure that our investments are appropriate, deliver results, and that they provide sound stewardship and a return on taxpayer investment.

Question 8. TSA's best-known risk-based security initiative is the PreCheck Application Program, which has been popular with travelers and has provided TSA with important cost savings. Although the PreCheck Application Program benefits both TSA and trusted travelers, there has apparently never been a marketing or technology plan developed and deployed to help drive greater numbers of enrollments. While any potential expansion of the program must involve appropriate vetting of enrollees, what are your views on PreCheck Application Program expansion, and do you see a role for airports and the private sector to facilitate such an expansion? If you are confirmed as Administrator, would you commit to pursuing more enrollment options and marketing the program to increase participation in a responsible manner? Acting Administrator Carraway told the Committee at a March 2015 oversight hearing that the TSA's Request for Proposals related to PreCheck Application Program expansion would be reissued within a week, which did not occur. Will you commit to examining promptly and reissuing the RFP, if appropriate?

Answer. I support the expansion of risk-based initiatives. It is my understanding that the PreCheck Program has helped TSA learn more about the traveling public and that it is a key element in the risk-based approach that allows TSA to focus its highest efforts on travelers whom we know less and who may pose a potentially higher security risk. If confirmed, I will review the RFP referenced above. If confirmed, I also intend to pursue methods to increase participation in a responsible manner, particularly in ensuring we have high confidence in the risk assessments this process delivers, as well as determining the feasibility of pursuing additional enrollment locations.

Question 9. TSA is currently involved in longstanding patent infringement litigation with a small business known as SecurityPoint regarding airport security checkpoint advertising systems intended to save money for taxpayers and airports by offsetting costs. The Federal Government could potentially be liable for significant sums if the case is not settled and SecurityPoint's patent is found to be valid. Moreover, as a result of the pending litigation, TSA has allegedly blocked SecurityPoint from contracting with additional airport authorities, thereby preventing the agency, taxpayers, and airport authorities from benefiting from the associated cost savings.

If true, TSA's actions are troubling and raise broader concerns about the way TSA handles such matters and engages with the private sector. Have you been briefed on this litigation and/or TSA's actions with respect to airport authorities seeking to enter into new contracts with the company? Will you commit to reviewing this matter and taking appropriate action to ensure that TSA resolves this issue in a way that minimizes the exposure of taxpayers and allows TSA to achieve cost savings and screening efficiencies from private sector technologies?

Answer. I have not been briefed on this issue, and if confirmed, I commit to reviewing this further.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. ROY BLUNT TO
VICE ADMIRAL PETER V. NEFFINGER

Question. Admiral Neffinger, TSA calculates and uses a Federal Cost Estimate (FCE) to set minimum acceptable bids in all Screening Partnership Program (SPP) solicitations. Yet, by its own admission, TSA does NOT include total cost to the Federal Government as-a-whole in its FCE, but instead includes only costs associated with TSA specifically. Such a FCE significantly underestimates total costs to provide airport security screening, and its use by TSA to set minimum acceptable bids for SPP solicitations creates an equally significant disincentive for potential SPP contractors to even submit bids for such contracts. Furthermore, by using this method to set artificially low minimum acceptable bids in solicitations, the potential is increased that important security corners will have to be cut in order to meet the artificially low cost requirement. If TSA continues to use a Federal Cost Estimate in this way, will you insist that the total costs to the Federal Government are included in its calculation? If not, why not?

Answer. During my nomination proceedings, I have received briefings on the Screening Partnership Program. I understand that SPP has gone through a recent set of reforms providing for a more efficient application and procurement process. If confirmed, I look forward to reviewing the methodologies and cost estimates that are used to calculate the feasibility of a privatized screening workforce and to better understand how those decisions are made.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. STEVE DAINES TO
VICE ADMIRAL PETER V. NEFFINGER

Question 1. In early 2012, TSA installed new Advanced Imaging Technology (AIT) millimeter wave full-body scanner at five airports in Montana, and one more was allocated to Great Falls upon completion of a security checkpoint expansion. One year later, TSA removed AITs from two Montana airports, Helena and Kalispell, as well as other small airports across the US. Airport operators were told that these new machines were being sent to larger airports to replace backscatter scanners being removed due to agency's failure to meet the June 1, 2013 deadline set by Congress for privacy software upgrades. No plans were made to replace the new AIT machines at smaller airports.

Additionally, recent GAO investigations indicate Red Team agents were able to get prohibited devices through security checkpoints more than 95 percent of the time. Would further AIT implementation have increased the success rate of TSA airport screeners? What will be your plan as Administrator to procure, deploy, and install AIT machines at smaller airports in Montana and across the US—especially for those that were removed or allocated and never received? Will this be expedited in light of recent investigations? How will AIT operators' and screeners' training be revised to ensure passenger safety is not compromised and public trust is regained?

Answer. If confirmed, I will review and evaluate current TSA plans to procure, deploy and install AIT equipment at airports that do not currently have them. In the meantime, I will immediately address the vulnerabilities brought to light by the Inspector General's covert testing. This will include carrying out Secretary Johnson's recent directives while concurrently seeking to understand and correct the more systemic issues that may have given rise to the failures. Immediate directives are targeted at standards and training across the workforce—what must be done right away to close the gaps found, and what must be done in future? TSA must focus on the mission, understand what must be done to accomplish that mission, set and enforce high standards of training and accountability, and then test to ensure those standards are maintained.

Question 2. Twenty-one airports nationwide participate in the TSA's Screening Partnership Program (SPP). With nearly half of them in Montana, 9 of Montana's

13 commercial service airports, participating in the private screening program. What steps will you take to expand SPP to ensure that Montanans maintain this service and it is expanded to other communities?

Answer. I understand that airports can apply to TSA for private sector entities to perform passenger screening under the Screening Partnership Program. While I believe that it is critical to have a national set of standards for aviation security, and that there must be national oversight of the implementation of those standards, the option for private sector screeners may provide an opportunity to provide services at lower taxpayer cost. To that end, if confirmed, I will ensure that airports that wish to explore participation in the Screening Partnership Program are afforded the opportunity to do so, and that the program itself is well-understood and publicized as an option.

Question 3. Montana airports continue to grow at a pace surpassing the national average. Bozeman's airport enplanements has grown 26 percent since 2011 while nationally growth has only been 4 percent. It has just been named a "Small Hub" by the FAA. A lot of this growth comes in surges during the winter and summer tourist months. We welcome these visitors, but want to make sure that both visitors and residents don't experience delays and inefficiencies during these busy times. What staffing steps would lead the TSA in to accommodate this growth and seasonal surges?

Given the cap on TSA screener workforce, selectively deployed screening technology, and forecast passenger growth, how would you guide the TSA to achieve efficient thru-put at security checkpoints across the US, including rural airports, Small Hubs and larger airports?

Answer. Our aviation security system must always remain attentive to the need to ensure the continued and efficient movement of passengers and cargo. If confirmed, I will examine TSA's, and SPP contractors', current airport staffing models to determine whether they are sufficient to meet demand. In particular, I will focus on seasonal surge needs. This will include a review of overall system design to determine whether there are more efficient methods of moving the traveling public through the system.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO
VICE ADMIRAL PETER V. NEFFINGER

The need to complete mandates of the Implementing Recommendations of the 9/11 Commission Act

Question 1. In 2007, Congress passed the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53)—measures the 9/11 Commission urged Congress to adopt to ensure greater security. That legislation requires TSA to create a regulatory framework that addresses the threats facing our passenger and freight rail systems and transit agencies. Among other things, the legislation directs TSA to:

- Approve security plans for all railroads that are considered vulnerable, high-risk targets for a terrorist attack (Section 1512);
- Issue regulations that establish training standards on potential security threats and conditions for frontline employees at public transportation agencies, railroads and bus providers (Sections 1408, 1517 and 1534); and
- Provide a framework for conducting name-based security background checks and immigration status checks on all frontline employees at public transportation agencies and railroads (Sections 1411, 1520 and 1522).

The legislation was enacted in August 2007 and these items were all due within one year of that date. Yet as of May 2015—approaching eight year since the deadline—we still do not have final action on these requirements. Failure to complete all the mandates of the legislation raises questions about attention to urgent priorities and whether we are prepared for any and all emerging threats on the horizon.

Vice Admiral Neffinger, after this committee's March hearing on the TSA, I asked TSA in a Question for the Record when the mandates would be met. I did not receive any sort of concrete response—just broad statements that the mandates were being addressed.

If you're confirmed, when will they ALL be completed?

Answer. If confirmed for this position, I will ensure that TSA responds to you with their best estimate as to the timeline for meeting the requirements of Public Law 110-53—specifically, the Sections noted above.

Status of the Transportation Security Acquisition Reform Act

Question 2. Last year, Congress passed the Transportation Security Acquisition Reform Act (P.L. 113–245), which requires TSA to “to implement best practices and improve transparency with regard to technology acquisition programs,” including development of a five-year investment plan in consultation with industry.

I co-sponsored that measure in the Senate in order to ensure a better acquisition and procurement process at the TSA.

Vice Admiral Neffenger, if confirmed, what attention will you put toward carrying out this legislation?

Answer. If confirmed, I will closely examine TSA’s acquisition programs to ensure compliance with law, policy and best practices. I serve as the Component Acquisition Executive in my current role as Vice Commandant of the Coast Guard, and I have been directly involved in the reform of the Coast Guard acquisition program over the past decade. I understand how critical a sound, defensible and responsive acquisition program is to mission results. It requires strong controls and oversight; a rigorous requirements generation process; project management and sponsor separation; strict adherence to DHS and Federal rules and policies; and a continual, honest assessment of value, effectiveness and efficiency. If confirmed, I will apply my experience in acquisition oversight to TSA.

Question 3. If confirmed, how will you ensure TSA is engaging with industry to develop a five-year investment plan?

Answer. Strong industry partnerships linked to a robust agency requirements generation process are key to fielding effective technologies. If confirmed, I will meet with current equipment suppliers and engage with industry groups and will incorporate their expertise and input into a long-term investment plan.

Question 4. If confirmed, how will you ensure TSA is working to expedite the approval process for next-generation security technologies?

Answer. A transparent, defensible and well-understood acquisition approval process underpins an effective and responsive acquisition program. If confirmed, I will ensure a complete review of TSA’s current processes and will adjust these as needed to ensure that they are transparent, defensible, in compliance with law and policy, and that they have strong oversight controls.



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